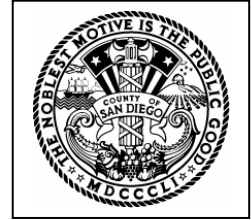


APPENDIX A
NOP, COMMENTS RECEIVED ON THE NOP, AND
MATERIALS FROM THE SCOPING MEETING



NOTICE OF PUBLIC MEETING



NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

April 28, 2008

NOTICE IS HEREBY GIVEN that the County of San Diego, through its Department of Planning and Land Use, will be the Lead Agency for the preparation of an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act for the project identified below. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the EIR. The Notice of Preparation may be viewed on the World Wide Web at <http://www.sdcounty.ca.gov/dplu/gpupdate/>; at the Department of Planning and Land Use (DPLU), Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California 92123; or at any San Diego County Library. For library locations please visit <http://www.sdcl.org/locations.html> or call (858) 694-2415. Comments on the Notice of Preparation must be received no later than May 28, 2008 at 4:00 p.m. (a 30 day public review period) and should be sent to the DPLU address listed above and should reference the project number and name.

PROJECT NUMBER AND NAME: LOG NO. 02-ZA-001; COUNTY OF SAN DIEGO GENERAL PLAN UPDATE (SCH #2002111067). The project is a comprehensive update of the County of San Diego's General Plan. The project includes the preparation of implementing policies, ordinances, and guidance documents. The updated General Plan will direct population growth balanced with infrastructure needs, development, and resource protection. The proposed project will have the effect of directing population capacity and development in the western portions of the unincorporated area and reducing the potential for growth in the eastern areas to balance growth and development with infrastructure needs and resource protection. The update will replace the existing General Plan including all of the elements, land use distribution maps and circulation maps. Community/Subregional Plans will also be updated. The project area encompasses the unincorporated area of San Diego County. For additional information, please visit the General Plan Update website at <http://www.sdcounty.ca.gov/dplu/gpupdate/> or contact the General Plan Update Hotline at (619) 615-8289 or by e-mail at gpupdate.dplu@sdcounty.ca.gov.

PUBLIC SCOPING MEETING: A public scoping meeting will also be held in the DPLU Hearing Room at 5201 Ruffin Road, Suite B, San Diego, CA on May 15, 2008 from 5:30pm to 6:30pm. The meeting will provide a public forum for information dissemination, identification of issues, scope of review, and questions on the General Plan Update project, EIR, and the overall process. While staff will summarize the issues raised in this meeting and decisions made, anyone wishing to make formal comments on the Notice of Preparation must do so in writing. This scoping meeting is intended to satisfy the requirements of the Public Resources Code, Section 21083.9 that requires the Lead Agency to call at least one scoping meeting for the project.

NOTICE OF PREPARATION

DATE: April 28, 2008

PROJECT NAME: County of San Diego General Plan Update

PROJECT APPLICANT: County of San Diego

ENV. REVIEW NUMBER: 02-ZA-001

STATE CLEARINGHOUSE NUMBER: 2002111067

PROJECT DESCRIPTION:

The proposed project is a comprehensive update of the San Diego County General Plan. The Comprehensive General Plan Update will balance population growth and development with infrastructure needs and resource protection. More specifically, the proposed project will direct population capacity in the western portions of the County and reduce the potential for growth in the eastern areas.

This general population distribution is intended to: 1) plan for projected and expected population growth in the region; 2) facilitate efficient, orderly growth by containing development within areas proximate to existing infrastructure and services; 3) limit greenhouse gas emissions from vehicles by locating future residences closer to employment and town centers; 4) protect natural resources through the reduction of population capacity in sensitive areas; and 5) retain or enhance the character of communities within the unincorporated County.

The project will replace the existing General Plan including all of the elements, land use distribution maps, and circulation maps. The project will also update Community/Subregional Plans. Other components of the Comprehensive General Plan Update include, but are not limited to:

- Amendments to the existing Subdivision Ordinance, Resource Protection Ordinance, and other County ordinances, and/or adoption of new County ordinances as necessary to implement the updated General Plan;

- Adjustments to Community Planning Area and Sponsor Group Boundaries;
- Replacing the residential lot size requirements in the General Plan with a density-based approach;
- Resolving a court ruling that found inadequate an EIR for a previous General Plan Amendment (GPA 91-02) for the Central Mountain Subregion;
- Rescinding or updating outdated policies, ordinances, manuals, and other guidance documents and enacting new implementing policies, ordinances, manuals, and other guidance documents as needed to reflect current law and the updated General Plan;
- Rezoning as necessary to implement and/or maintain consistency with the updated General Plan.

The General Plan Update EIR will be a Program EIR. The detailed components of the General Plan Update are still under development or have not yet been started. However, development of the Update is guided by goals, policies, and planning concepts that have been endorsed by the Board of Supervisors. Board endorsements and other actions on the project, as well as associated hearing documents and relevant project documentation, are recorded and available on the General Plan Update website: <http://www.sdcounty.ca.gov/dplu/gpupdate/>.

The Board of Supervisors has endorsed two draft Land Use Distribution Maps for review. The Board endorsed Referral Map (Exhibit 2) is projected to accommodate the most population and because its development was directed by the Board of Supervisors, it will serve as the Proposed Project. There will be several other alternatives that will be evaluated as alternatives to the Proposed Project. The maps that have been prepared and will be evaluated in the EIR illustrate the possible general distribution of population, as well as commercial and industrial uses, throughout the County. The maps indicate maximum allowable residential density or non-residential intensity planned within the various areas of the unincorporated region. The maps are available for purchase from the Department of Planning and Land Use and may also be viewed on or downloaded from the General Plan Update website: <http://www.sdcounty.ca.gov/dplu/gpupdate/>.

A circulation network has also been endorsed by the Board of Supervisors and is available for viewing or download on the General Plan Update website.

PROJECT LOCATION:

The County of San Diego is located in Southern California bordered on the west by the Pacific Ocean, to the east by Imperial County, to the north by Orange and Riverside Counties, and to the south by Mexico (Exhibit 1). The project covers all unincorporated portions of the County of San Diego over which the County has land use jurisdiction.

While 18 incorporated cities lie within the County, the majority of the land (approximately 2,300,000 acres) within the County is unincorporated. Private land

ownership accounts for approximately 36% of the County's unincorporated lands. Public land ownership accounts for approximately 64% of the County's unincorporated lands. For purposes of this document public land consists of land either held or managed by County, Cities, State, or Federal agencies, or held in trust for the benefit of Native American governments.

The County terrain varies from west to east, sloping up from the ocean, transitioning to rolling hills and then steep mountains that finally give way to flat and gently sloping deserts. The County is generally a semi-arid environment and supports a wide range of habitats and biological communities. These habitats and communities range from grasslands and upland shrubs to coniferous forests and desert habitats. Additionally, these habitats and communities vary greatly depending on the ecoregion, rainfall, soils and substrate, elevation and topography.

The urban areas of the County are predominantly in the west, either surrounding the City of San Diego, or interspersed between the City of San Diego and the cities in Orange and Riverside Counties. Further east, the land is less developed, with the largest developed area in the eastern portion of the County being the community of Borrego Springs. Most areas that have been developed in the eastern portion of the County have been predominantly developed in a rural fashion, with large lot sizes, small community centers, agricultural or related uses, and have limited infrastructure and service availability.

The County is serviced by Interstates 5, 15, 163, and 805 that all run north and south throughout the western portion of the County and Interstate 8 that runs east and west throughout the southern portion of the County. Additionally, the County is serviced by State Highways 67 and 79 that both run north and south throughout the western and eastern sides of the County and State Highways 76, 78 and 94 that all run east and west across the County.

PROBABLE ENVIRONMENTAL EFFECTS:

The County has determined that a Program EIR will be prepared for the proposed comprehensive General Plan Update. Section 15168 of the CEQA Guidelines states that a Program EIR may be prepared on a series of actions that can be characterized as one large project and are related either: 1) geographically; 2) as logical parts in the chain of contemplated actions; 3) in connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. The Program EIR will be prepared in accordance with the requirements of CEQA Statutes and Guidelines, as amended. Pursuant to Section 15146 of the CEQA Guidelines the degree of specificity in the Program EIR will correspond to the degree of specificity involved in the comprehensive General Plan Update. The EIR will focus on

the primary effects that can be expected to follow from adoption of the comprehensive General Plan Update and will not be as detailed as an EIR on the specific development or construction projects that may follow. Based on the County's preliminary analysis of the project, the following environmental issues will be examined in the Program EIR:

Aesthetics – The EIR will identify regionally significant aesthetic resources and will evaluate the potential for the project to create regional visual or aesthetic impacts. Impacts to scenic vistas and resources throughout the County, including those along Scenic Highways, will be evaluated in the EIR. Moreover, the potential for the creation of substantial new sources of light and glare, on a regional level, will be evaluated for impacts on day and nighttime views, impacts to the dark sky character of rural communities, and impacts to the Palomar and Mount Laguna observatories.

Agriculture – The EIR will identify all prime agricultural lands and farmlands in the unincorporated County based on the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program and existing County data. The EIR will assess impacts regionally, in terms of: 1) conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use; and 2) conflicts with existing zoning for agricultural use or Williamson Act contract lands.

Air Quality, Climate Change, and Energy – The EIR will describe the regional setting, ambient air quality standards, and air quality trends based on monitoring data provided by the San Diego County Air Pollution Control District. The EIR's analysis of impacts will evaluate: 1) conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); 2) violation of any air quality standard or substantial contribution to an existing or projected air quality violation; 3) a cumulatively considerable net increase of any criteria pollutant for which the project region that has status of "non-attainment" under an applicable federal or state ambient air quality standard; 4) exposure of future sensitive receptors to substantial pollutant concentrations; and 5) creation of objectionable odors affecting a substantial number of people (future population).

The EIR will also address potential impacts to climate change. The EIR will contain an inventory of Greenhouse Gas emissions for the unincorporated lands that is primarily based on vehicular emissions. A comparison between 1990 emission rates and future emissions will be provided to relate to AB 32, the California Global Warming Solutions Act of 2006.

Biological Resources – The EIR will identify important biological resources including habitats and species based on existing County and regional mapping data. The EIR will evaluate impacts in terms of: 1) potential adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California

Department of Fish and Game or U.S. Fish and Wildlife Service; 2) potential adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; 3) interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and 4) conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances.

Cultural Resources – The EIR will review areas that contain known, regionally significant cultural resources, including paleontological resources. The EIR's impact analysis will evaluate, on a regional level, whether the project will: 1) cause a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; 2) disturb any human remains, including those interred outside of formal cemeteries; and 3) destroy a unique paleontological resource or site or unique geologic feature.

Geology and Soils – The EIR will summarize the geologic setting soil conditions, including major faults, seismicity, geologic formations, soil types and erodible soils, in the unincorporated County, based on existing County and regional data, including data from the California Division of Mines and Geology. The EIR's impact analysis will evaluate on a regional level: 1) exposure of people (future population) or structures to the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; 2) substantial soil erosion or the loss of topsoil; 3) unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; 4) the location of expansive soil creating substantial risks to life or property; and 5) soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Hazards and Hazardous Materials – The EIR will identify hazards and hazardous material sources associated with the project. Specifically, the EIR will analyze impacts related to hazardous material sources, airport hazards, adopted emergency response plans and emergency evacuation plans, and wildland fires.

With regard to hazardous material sources the EIR will analyze, on a regional level, whether the project will: 1) create a significant hazard to the public (future population) or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; 2) create a significant hazard to the public (future population) or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; and 3) locate future uses on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment.

With regard to airport hazards the EIR will identify locations within an airport land use plan (Airport Comprehensive Land Use Plan) or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. For all these locations the EIR will evaluate whether the project will result in a safety hazard for people (future population) in the unincorporated County.

All adopted County emergency response plans and emergency evacuation plans will be identified as a part of the EIR. The impact analysis will determine whether the project will impair the implementation of or physically interfere with an adopted emergency response plan and emergency evacuation plan.

Finally, with regard to wildland fires, the EIR will identify areas with potential for wildland fires. The EIR will evaluate the potential for the project to expose people (future population) or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Hydrology and Water Quality – The EIR will identify County mapped hydrologic features and water resources including hydrologic basins, 100-year flood boundaries, surface waters, groundwater resources, dam inundation zones, and areas prone to inundation by seiche, tsunami, or mudflow.

With regard to hydrology, flooding, and dam inundation the EIR will analyze, on a regional level, whether the project will: 1) substantially alter the existing drainage patterns in a manner which would result in substantial erosion, siltation or flooding on- or off-site; 2) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; 3) place future housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on County Floodplain Maps; and 4) expose people (future population) or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

With regard to water quality the EIR will determine, on a regional level, whether the project will: 1) violate any waste discharge requirements; 2) increase any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act; 3) cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial use; and 4) otherwise substantially degrade water quality.

With regard to groundwater the EIR will analyze whether the project will substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Finally, the EIR will analyze whether the project will create potential for regional inundation by seiche, tsunami, or mudflow.

Land Use and Planning – The EIR will discuss the substantial differences between the proposed and existing County General Plan and other applicable land use plans, ordinances, policies and regulations including but not limited to specific plans and zoning ordinance. Also, the EIR will analyze whether the project results in any physical division of established communities. Moreover, the EIR will identify potential land use conflicts and community character issues resulting from the juxtaposition of proposed land use designations.

Mineral Resources – The EIR will identify mapped mineral resources and deposits. The impact analysis will evaluate the loss of availability of a known mineral resource that would be of value to the region and the residents of the state and loss of locally-important mineral resource recovery sites.

Noise – The EIR will summarize applicable standards and detail major noise sources including but not limited to major regional railways, roadways and air traffic. The EIR's impact analysis will evaluate on a regional level: 1) exposure of persons (future population) to or generation of noise levels in excess of standards established in the County's Noise Ordinance, or applicable standards of other agencies; 2) exposure of persons (future population) to or generation of excessive groundborne vibration or groundborne noise levels; 3) substantial permanent increase in ambient noise levels; 4) substantial temporary or periodic increases in ambient noise levels; 5) exposure of people (future population) residing or working in the project area to excessive noise levels for projects located within the vicinity of a private airstrip or an airport land use plan (Airport Comprehensive Land Use Plan) or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

Population and Housing – The EIR will describe anticipated population, employment, and housing effects from the project. The EIR will evaluate, on a regional level, whether the project will: 1) physically effect the environment due to changes in the population and housing conditions; 2) displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere; and 3) satisfy the County's fair share of housing.

Public Services – The EIR will identify types of governmental facilities and services that serve the unincorporated portion of the County, (e.g. fire and sheriff services and sub-stations, schools, and parks). The EIR will discuss the regional location and types of governmental facilities and services improvements that may be required to meet the anticipated demand of future growth and population.

Recreation – The EIR will identify regional recreational resources (e.g. County Parks). The EIR will analyze whether the project will result in an increase in the use of existing

neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of these recreational facilities would occur or be accelerated based on future population growth.

Transportation and Traffic – The EIR will identify existing and proposed buildout traffic conditions on road segments and intersections with unacceptable levels of services. This identification will include federal and state highways, and County transit systems including circulation element roads. The EIR will evaluate whether the project will: 1) effectively encourage alternative forms of transportation as a means of reducing automobile traffic; 2) substantially increase traffic in relation to the existing traffic load and capacity of the street system; 3) exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways; 4) change air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks to future population; 5) substantially increase hazards due to a known design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); 6) result in inadequate emergency access; 7) conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

To satisfy the requirements of the Public Resources Code, Section 21092.4 the County will consult with transportation planning agencies and public agencies which have transportation facilities within their jurisdiction which could be affected by the project.

Utilities and Service Systems – The EIR will identify types of utilities and service systems that serve the unincorporated portion of the County, (e.g. wastewater treatment facilities, stormwater drainage facilities, and water supply facilities). The EIR will discuss the regional location and types of infrastructure and service improvements that may be required to meet the anticipated demand of future growth and population.

Cumulative Impacts – The EIR will include a separate section, which identify whether the project's impacts, for each of the subject areas identified above, are cumulatively considerable. "Cumulatively considerable" means that "the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Long Term Environmental Effects – The EIR will discuss growth inducing impacts, and significant irreversible environmental changes associated with General Plan buildout.

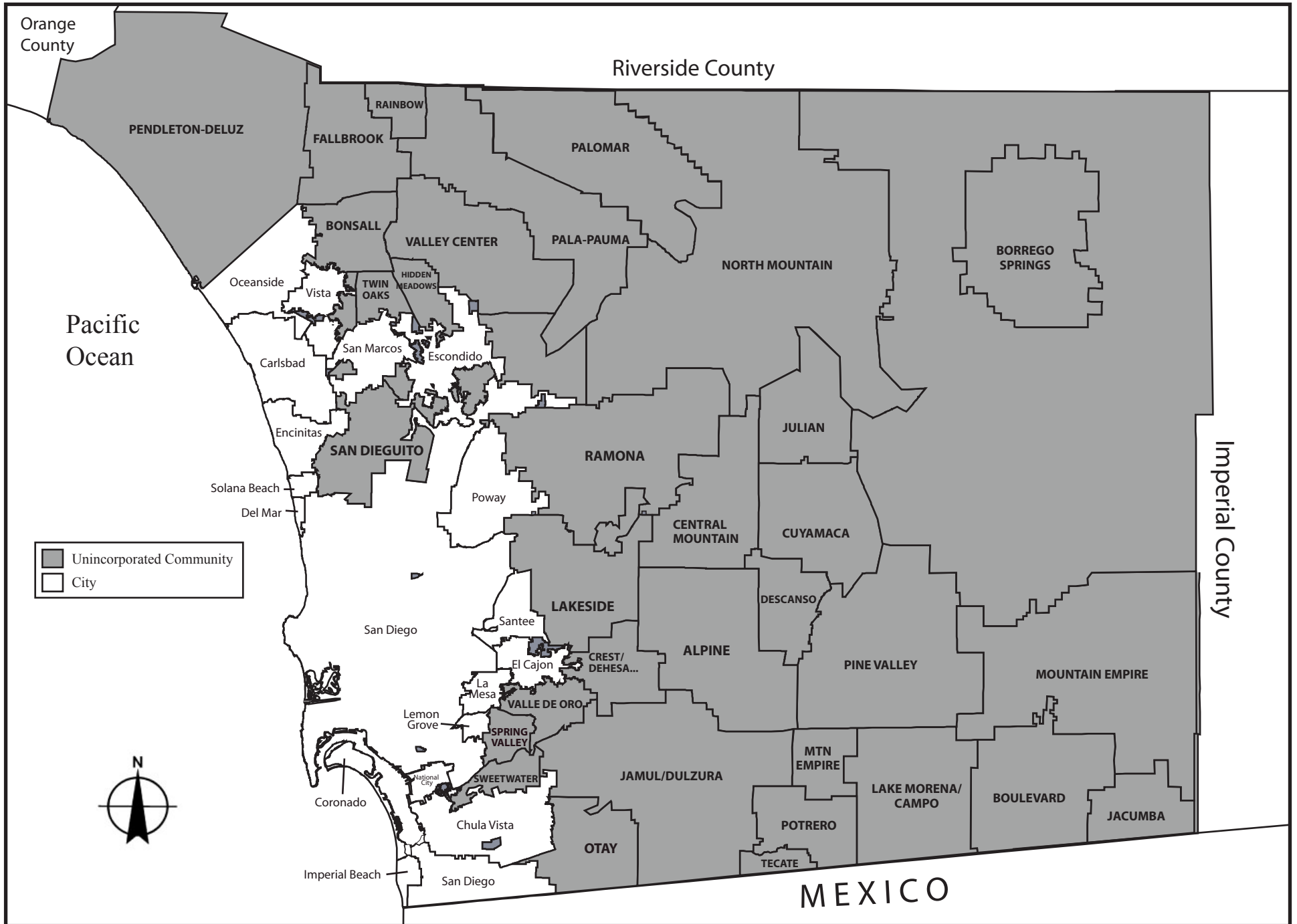
Alternatives – The alternatives will be assessed in light of the same environmental issues identified for the project. As previously discussed, the Board-endorsed Referral Map will be the Proposed Project. The Hybrid Map, Draft Map, and Environmentally Superior Map Alternatives will be evaluated as alternatives to the Proposed Project. In general, these alternatives contain reduced or reconfigured development density or

intensity compared to the Proposed Project. As a result, they are anticipated to reduce impacts associated with environmental considerations, which are particularly sensitive to density and intensity considerations including but not limited to air quality, biology, population and housing, public services and utilities, and transportation and traffic. A No Project alternative, buildout under the existing General Plan, will also be considered.

Attached Exhibits:

- Project Regional Location Map
- Proposed Project/Referral Map

County of San Diego Location Map



**LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES
THAT COMMENTED ON THE NOTICE OF PREPARATION OF
AN ENVIRONMENTAL IMPACT REPORT
FOR THE COUNTY OF SAN DIEGO GENERAL PLAN UPDATE
LOG NO. 02-ZA-001**

Public Review Period: April 28, 2008 through May 28, 2008

The following is a listing of the names and addresses of persons, organizations and public agencies that commented during this public review period.

	NAME	ADDRESS
	STATE AGENCIES	
1	<u>State of California, Department of Conservation</u>	Brian Leahy 801 K Street Sacramento, CA 95814
2	<u>State of California, Department of Fish and Game</u>	Edmund J. Pert South Coast Region 4949 Viewridge Avenue San Diego, CA 92123
3	<u>State of California, Department of Forestry and Fire Protection</u>	Lynnette Short, Forestry Assistant II Stephen H. Heil, Deputy Chief 2249 Jamacha Rd. El Cajon, CA 92019
4	<u>State of California, Department of Toxic Substances Control</u>	Greg Holmes 5796 Corporate Avenue Cypress, CA 90630
5	<u>State of California, Governor's Office of Emergency Services: Disaster Assistance Program Branch</u>	Dennis Castrillo and Andrew Rush 3650 Schriever Ave. Mather, CA 95655 Andrew.rush@OES.ca.gov
6	<u>State of California, Governor's Office of Planning and Research</u>	Scott Morgan P.O. Box 3044 Sacramento, CA 95813
7	<u>State of California, Public Utilities Commission</u>	Rosa Muñoz 320 West A Street, Ste 500 Los Angeles, CA 90013
	COUNTY, CITY AND OTHER LOCAL AGENCIES	
8	<u>Chula Vista Elementary School District</u>	Rudy Valdez-Romero 34 East J Street Chula Vista, CA 91910
9	<u>Chula Vista, City of</u>	Marilyn R.F. Ponseggi 276 Fourth Avenue Chula Vista, CA 91910
10	<u>Escondido, City of</u>	Jonathan H. Brindle 201 North Broadway Escondido, CA 92025

	NAME	ADDRESS
	COUNTY, CITY AND OTHER LOCAL AGENCIES (cont.)	
11	<u>Pechanga Indian Reservation</u>	Laura Miranda Pechanga Indian Reservation Pechanga Cultural Resources Department P.O. Box 2183 Temecula, CA 92593
12	<u>San Diego County Regional Airport Authority</u>	Sandi Sawa P.O. Box 82776 San Diego, CA 92138-2776 ssawa@san.org
13	<u>San Diego Local Agency Formation Commission</u>	Robert Barry 1600 Pacific Highway Room 452 San Diego, CA 92101
14	<u>San Marcos, City of</u>	Jerry Backoff 1 Civic Center Drive San Marcos, CA 92069
15	<u>SANDAG</u>	Travis Cleveland 401 B Street, Ste 800 San Diego, CA 92101
16	<u>Santee, City of</u>	Mark Brunette 10601 Magnolia Ave. Santee, CA 92071
	PLANNING GROUPS	
17	<u>Descanso Planning Group</u>	Jo Ellen Quinting, Chair P.O. Box 38 Descanso, CA 91916
18	<u>Elfin Forest/Harmony Grove Town Council</u>	Melanie Fallon 20223 Elfin Forest Rd. Elfin Forest, CA 92029
	ORGANIZATIONS	
19	<u>Backcountry Grass Roots Group of Concerned Citizens</u>	Rich Volker 325 W. Washington St., Ste 2, #337 San Diego, CA 92103
20	<u>Campo-Lake Morena Business Association</u>	Dan Lawrence P.O. Box 451 Campo, CA 91906
21	<u>H.O.P.E. of the Mountain Empire</u>	Randy Lenac P.O. Box 188 Campo, CA 91906
22	<u>Palomar Observatory</u>	W. Scott Kardel P.O. Box 200 Palomar Mountain, CA 92060

	NAME	ADDRESS
	ORGANIZATIONS (cont.)	
23	<u>The Committee for Responsible Growth</u>	Barbara Chamberlin & Robin M. Simmons 25607 Potrero Valley Rd. Potrero, CA 91963
	INDIVIDUALS	
24	<u>Boulder Skies Limited Partnership</u>	Howard and Rachel Antle 24668 Manzanita Drive P.O. Box 895 Descanso, CA 91916
25	<u>John Elliott</u>	P.O. Box 368 Descanso, CA 91916
26	<u>Beverly Esry</u>	1883 Marc Trail Campo, CA 91906
27	<u>Billie Jo Jannen</u>	P.O. Box 443 Campo, CA 91906 jannen@aabol.com
28	<u>Lansing Companies</u>	Gregory Lansing 12770 High Bluff Drive, Suite 160 San Diego, CA 92130 g.lansing@lansingcompanies.com
29	<u>Leach-Johnson Ranches</u>	Larry Johnson 1259 Dewey Pl. Campo, CA 91906
30	<u>Lael Montgomery</u>	laelmontgomery@aol.com
31	<u>Rick & Cathy Prazma</u>	5351 Westknoll Lane San Diego, CA 92109
32	<u>William J. Schwartz, Jr. Worley Schwartz Garfield & Prairie (representing Star Ranch)</u>	401 B Street, Suite 2400 San Diego, CA 92101 wschwartz@wsgplaw.com
33	<u>William J. Schwartz, Jr. Worley Schwartz Garfield & Prairie (representing Clifford J. Ward and Rick and Cathy Prazma)</u>	401 B Street, Suite 2400 San Diego, CA 92101 wschwartz@wsgplaw.com
34	<u>Clifford Ward</u>	5351 Westknoll Lane San Diego, CA 92109



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

May 16, 2008

RECEIVED
MAY 22 2008

DPLU - PPCC

Devon Muto
San Diego County
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

RE: Notice of Preparation (NOP) of Draft Environmental Impact Report (DEIR)
County of San Diego General Plan Update – SCH #2002111067

Dear Ms. Muto:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the NOP for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The project is a comprehensive update of the San Diego County (County) General Plan. The update will replace the County's existing General Plan, including all elements, land use distribution maps and Community/Subregional plans. The project will cover all unincorporated portions of the County over which the County has land use jurisdiction.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Important Farmland Map for the County should be utilized to identify land within the project site and surrounding land that may be impacted. Acreages for each land use designation should be identified. Likewise, the County's Williamson Act Map should be utilized to identify potentially impacted contracted land, and agricultural preserve land by acreage and whether it is prime or nonprime agricultural land according to definition in Government Code §51201(c). Maps of the Important Farmland and Williamson Act land should be included in the DEIR.

Project Impacts on Agricultural Land

The Department recommends that the following be included in the DEIR in the analysis of project impacts:

- Indirect impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, population, traffic, water availability, etc.
- Growth-inducing impacts, including whether leapfrog development is involved.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.
- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Environmental Quality Act (CEQA) Guidelines §15064.7). The Division has developed a California version of the United States Department of Agriculture Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is recommended by CEQA and is available from the Division at the contact listed below.

Williamson Act Lands

The Department recommends that the following information be included in the DEIR regarding Williamson Act lands impacted by the project.

- The DEIR should tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to implement the project. The DEIR should discuss the impacts that termination of Williamson Act contracts would have on nearby properties also under contract; i.e., growth-inducing impacts (in the sense that the removal of contract protection not only lifts a barrier to development, but results in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development).

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981))

28 Cal.3d 840, 852-855). The city or county of jurisdiction must approve a request for contract cancellation, and base that approval on specific findings that are supported by substantial evidence (Government Code Section 51282).

- If portions of the planning area are under Williamson Act contract, and are to continue under contract after project implementation, the DEIR should discuss the proposed uses for those lands. Uses of contracted land must meet compatibility standards identified in Government Code Sections 51238 - 51238.3. Otherwise, contract termination (see paragraph above) must occur prior to the initiation of the land use.
- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under the Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. The uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code Section 51230). Therefore, the DEIR should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

Mitigation Measures and Alternatives

Feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts should be considered in the DEIR. Similarly, while the direct conversion of agricultural land is often deemed to be an unavoidable impact by CEQA analyses, mitigation measures must nevertheless be considered.

The Division recommends that the purchase of agricultural conservation easements on land of at least equal quality and size be considered as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under CEQA.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. For example, the California Farmland Conservancy Program is authorized to accept donations of funds if the Department of Conservation is the designated beneficiary and it agrees to use the funds for purposes of the program in a county specified by the donor. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the San Diego County region.

Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP/>

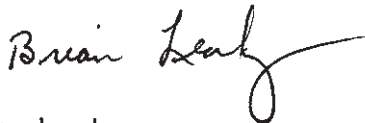
Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

- Increasing home density or clustering residential units to allow a greater portion of the development site to remain in agricultural production.
- Establishing buffers such as setbacks, berms, greenbelts, and open space areas to separate farmland from incompatible urban uses.
- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

The Department believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the County's general plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact Adele Lagomarsino at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 445-9411.

Sincerely,



Brian Leahy
Assistant Director

cc: Resource Conservation District of Greater San Diego County



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



May 27, 2008

Mr. Devon Muto, Project Manager
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

**Comments on the Notice of Preparation of a Draft Environmental Impact Report for
the County of San Diego General Plan Update (Log No. 02-ZA-001, SCH #2002111067)**

Dear Mr. Muto:

The California Department of Fish and Game (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the County of San Diego General Plan Update Draft Environmental Impact Report (DEIR), dated April 28, 2008. We have attached for your review the Department's prior correspondence that was prepared during the NOP phase of the County of San Diego's General Plan Update 2020. Our prior comments and concerns remain in affect for the current General Plan update. Additionally, the Department has the following supplemental comments for consideration as they pertain to the Natural Communities Conservation Plan (NCCP) process and its applicability to the General Plan update.

1. In terms of compatible land use and growth strategies to the development of the North and East County Multiple Species Conservation Program (MSCP) Subarea Plans, consideration should be given to maximizing inclusion of core biological resource areas and linkages in the design phase when evaluating the existing and futures land uses within or adjacent to the Multiple Habitat Planning Area (MHPA).
2. The County should maximize the inclusion of public lands/open space and lands already preserved for their biological resources.
3. The County should identify public acquisition of private lands with regional habitat value.
4. The intent of the General Plan update is to focus population capacity in the western portions of the County and reduce the potential for growth in the eastern areas. The update should discuss how this population focus would contribute to global warming and related impacts on species distribution and conservation within the County.
5. The General Plan update must demonstrate how it is consistent with the protection of habitat, natural communities and species diversity on a landscape or ecosystem level as set forth in the County's existing MSCP. This would include showing that the update would not affect protections for reserve systems and conservation in NCCP planning areas and that the proposed shift from a minimum lot size to density-based land use designation would not affect the rough proportionality between development impacts on habitat or covered species and conservation measures.

Conserving California's Wildlife Since 1870

6. The General Plan update should acknowledge the County's open space network (including MSCP lands) as "green capital or infrastructure." This infrastructure is essential to the County's responsibility to balance the preservation of environmental resources with its obligation to meet the region's growth needs. The General Plan should include policy language that clearly defines and demonstrates adequate funding (aside from regional funding sources) will be ensured to carry out the Plan's "green infrastructure," including implementing the conservation actions and activities in adopted or planned NCCPs.
7. The General Plan update should accurately reflect the ongoing North and East County MSCP Planning efforts. The preserve boundaries and major policy issues from these plans (in-progress) should be consistently incorporated in the update. Important policy issues include, but are not limited to: the value of agricultural land for conservation; brush clearing; open space management; funding and land conveyance; trails; and, participant contributions to the preserve assembly. Additionally, the update should consistently identify open space activities and any restrictions consistent with adopted and planned NCCPs.
8. The General Plan update should take into account all proposed fuel modification zones and maintenance activities when planning conservation goals and habitat preserves, and acknowledge that these zones/activities should be undertaken outside the preserve boundaries. If such zones/activities have to occur in the preserve boundaries due to new fire regulations, then the General plan should identify a policy of no net habitat loss from fuel modification within preserve and require mitigation and/or a boundary line adjustment to fully replace the area of the Preserve that is being impacted.
9. The General Plan should incorporate the Pre-Approved Mitigation Area (PAMA) and related development limitations (e.g., 75% preservation) as the primary land use tool to implement conservation in the County's NCCP reserve areas. Land use density designations (e.g., 1/40 or 1/80 dwelling units per acre) should not be used to implement conservation in the MSCP, as these designations could still allow direct and indirect impacts to species and habitat through disturbance not associated with density per se (e.g., agriculture conversions, brush clearing, etc.).
10. Ensure that all public facilities identified in the General Plan (e.g., roads, parks, schools, etc.) are consistent with those identified in on-going NCCPs (e.g., North County and East County). For instance the General Plan update should limit water facility and other infrastructure deemed essential public facilities to areas outside of the preserve boundaries.
11. Emphasis should be directed at locating public use trails along the edges of urban lands uses adjacent to the proposed core lands and linkages and avoiding encroachment into sensitive habitats or defined wildlife movement areas. Furthermore, the General Plan update should make it an explicit policy that lands purchased and counted towards MSCP commitments cannot have a net increase in trails on-site; otherwise, any difference must be credited back or otherwise offset. This should also be incorporated into the County's Trails Master Plan. Last, the update should clearly define the relationship between population-based park standards and habitat-related conservation to ensure that appropriate restrictions are placed on MSCP lands and that they are managed accordingly.
12. As a major program in the County, the update should demonstrate how the NCCP is implemented across various departments to meet General Plan and MSCP goals/objectives, from project review to conveyance of land and perpetual management. A flow-chart showing these relationships would be helpful in this regard.

Mr. Muto
May 27, 2008
Page 3 of 3

13. The General Plan update should provide an update of the conservation status (gains, losses) within approved MSCP areas, as well as conservation levels expected from planned NCCPs (e.g., North and East County). An inventory of approved wetland mitigation banks should also be included in the update.

We appreciate the opportunity to comment on the NOP and to assist the County of San Diego in further minimizing and mitigating project impacts to biological resources. If you have questions or comments regarding this letter, please contact Paul Schlitt at (858) 637-5510 or Randy Rodriguez at (858) 637-7100.

Sincerely,



Edmund J. Pert
Regional Manager
South Coast Region

Enclosure (1) Comments on the Notice of Preparation of a Draft Environmental Impact Report
for the proposed General Plan Update 2020 (SCH# 2002111067)

cc: State Clearinghouse
David Zoutendyk, U.S. Fish and Wildlife Service
Paul Schlitt, Department of Fish and Game

EP:ps

DEPARTMENT OF FISH AND GAME

South Coast Region
4949 Viewridge Avenue
San Diego, California 92123
(858) 467-4201
(858) 467-4235 FAX



December 16, 2002

Mr. Jason Giffen
San Diego County Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, California 92123-1666

**Comments on the Notice of Preparation of a Draft Environmental Impact Report
for the Proposed General Plan Update 2020 (SCH# 2002111067)**

Dear Mr. Giffen:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced notice of preparation (NOP), relative to impacts to biological resources. The Department is a Trustee Agency with jurisdiction over natural resources affected by the proposed project (Section 15386 of the California Environmental Quality Act, CEQA), and a Responsible Agency under CEQA Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq., CESA) and Fish and Game Code Section 1600 et seq. The Department also administers the Natural Community Conservation Planning Program (NCCP) as both a Trustee and Responsible Agency.

The proposed project is a comprehensive update of the San Diego County (County) General Plan. The updated General Plan would direct population growth balanced with infrastructure needs, development, and resource protection to the year 2020. More specifically, the proposed project would focus population capacity in the western portions of the County and reduce the potential for growth in the eastern areas. The objectives of this general population distribution are to: 1) facilitate efficient, orderly growth by containing development within areas proximate to existing infrastructure and services; 2) protect natural resources through the reduction of population capacity in sensitive areas; and 3) retain the character of communities within the unincorporated County. The draft Environmental Impact Report (DEIR) will focus on the secondary effects that can be expected to follow from adoption of the Comprehensive General Plan Update and will not be so detailed as an EIR on the specific construction projects that will follow.

The Department supports the project's intent to focus population capacity in the western portions of the County and reduce the potential for growth in the eastern areas. We offer the following comments and recommendations to assist the County in avoiding or minimizing potential impacts to the sensitive biological resources within and to the east of the existing and

proposed preservation areas of the Multiple Species Conservation Program (MSCP) Subarea Plans for the south and north County, respectively.

The NOP indicates that the DEIR for the proposed project will not be so detailed as an EIR on the specific construction projects that will follow. The Department recommends that the County prepare a Program EIR pursuant to Section 15168(a)(3) of the CEQA Guidelines. Program EIRs provide an occasion for more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action (Section 15168[b][1] of the CEQA Guidelines), and ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis (Section 15168[b][2] of the CEQA Guidelines). In addition, we recommend that the DEIR provide a level of detail sufficient to completely compare and contrast the potential biological impacts of the proposed project and all alternatives.

To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, wildlife, and sensitive habitats, we recommend the following information be included in the DEIR:

1. A complete discussion of the purpose and need for the proposed project.
2. A complete description of the proposed project and all project alternatives. This should include:
 - a. narrative, tables, and figures that clearly describe/depict the following for the proposed project and each project alternative (i.e., separate, but easily comparable, figures for the proposed project and each alternative): (i) the habitat types within the project area, (ii) the relative footprints of the various proposed land uses on the biological resources, and (iii) the projected distribution of the human population;
 - b. the text of any amendments or updates to existing ordinances (e.g., Resource Protection Ordinance), policies, or Specific Plans, etc., proposed to be components of the project;
 - c. a clear description of the methodology used to (a) replace the residential lot size requirements with the density-based approach, and (b) rezone to maintain consistency with the updated General Plan;
 - d. a thorough discussion of any modifications proposed to the Regional Trail Network;
 - e. a thorough discussion of how the proposed project and each alternative analyzed would focus population capacity in the western portions of the County and reduce the potential for growth in the eastern areas, and would meet the stated objectives of the project. This should include the specific mechanisms the County would use to restrict growth in the western portions of the County.

The descriptions and analyses of the alternatives should ensure that alternatives to the proposed project are fully considered and evaluated. The analyses must include alternatives that avoid or otherwise reduce impacts to sensitive biological resources.¹ Because of the magnitude of the acreage involved and the many sensitive species and habitats that could be negatively affected or lost by the proposed project, the CEQA alternatives analysis for this project is extremely important. The Department is particularly interested in the DEIR describing "a range of reasonable alternatives to the project... which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" [Section 15126.6 (a) of the CEQA Guidelines (emphases added)]. "The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making" (Section 15126.6 [f] of the CEQA Guidelines).

3. An identification of State or federally listed rare, threatened, endangered, or proposed candidate species, California Species-of-Special Concern and/or State Protected or Fully Protected species, and any locally unique species and sensitive habitats within the project's area of potential effect.
4. A complete discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources. This should include:
 - a. Discussions regarding the regional setting, pursuant to the CEQA Guidelines, Section 15125(a), with special emphasis on resources that are rare or unique to the region that would be affected by the project. This should include comprehensive and geographically specific information on both terrestrial and aquatic (including groundwater) resources that are within the area of potential effect.² This discussion is critical to an assessment of environmental impacts.
 - b. Discussions regarding the anticipated impacts on sensitive species and habitats.
 - c. Discussions regarding potential indirect project impacts on biological resources, including resources on nearby public lands, open space, adjacent natural habitats, riparian and other aquatic ecosystems³, and any designated and/or proposed NCCP reserve lands (e.g., impacts on, and maintenance of, wildlife corridor/movement areas,

1 One of the basic purposes of CEQA is to "prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible" (CEQA Guidelines, Section 15002 (a)(3); emphasis added).

2 The information on the aquatic resources should be based on watersheds.

3 The Department has responsibility for the conservation of wetland and riparian habitats. It is the policy of the Department to discourage development in or conversion of wetlands. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

including access to undisturbed habitats in adjacent areas⁴).

The NOP states that the DEIR would analyze "whether the project will: 1) substantially alter existing drainage patterns in a manner which would result in substantial erosion, siltation or flooding on- or off-site." The DEIR should define "substantially," and the definition should recognize that even small changes in drainage patterns can seriously degrade habitats. At about 10 to 25% imperviousness, the health of aquatic systems is severely degraded (May et al. 1997; Schueler 1994).

- d. An analysis of cumulative effects, as described under CEQA Guidelines, Section 15130.
 - e. An analysis of the effect that the project or any alternative may have on completion and implementation of regional and/or subregional conservation programs. Under Section 2800 through Section 2840 of the Fish and Game Code, the Department, through the NCCP program, is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity. Coastal sage scrub is the first natural community to be planned for under the NCCP program. The Department recommends that the County ensure that the development of this and other proposed projects do not preclude long-term preserve planning options and that projects conform with other requirements of the NCCP program.
5. Mitigation policies and a set of objective criteria for meeting these policies. The DEIR should propose guidelines for mitigation measures to facilitate processing of discretionary projects within areas of the project footprint that are outside established habitat conservation plans.

Unless future projects are within areas covered by a habitat conservation plan, a CESA Permit (Section 2081 of the Fish and Game Code) or, if applicable, a Consistency Determination (Section 2080.1 of the Fish and Game Code), must be obtained if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit.⁵

-
- 4 If necessary to ascertain the potential impacts on wildlife movement and to assist in determining appropriate measures to eliminate or minimize these impacts, the County should conduct a wildlife movement study(ies). The Department requests the opportunity to review the scope of work intended for any such study the County plans to conduct. If no such study is done, the DEIR should demonstrate that the information used for the impact analysis is adequate.
 - 5 Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a 2081 permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a 2081 permit. For these reasons, the:
 - a. biological mitigation monitoring and reporting proposals should be of sufficient detail and

Unless future projects are covered by a master streambed alteration agreement, they may require a Lake or Streambed Alteration Agreement (SAA). The Department has direct authority under Fish and Game Code Section 1600 *et. seq.* regarding any proposed activity that would divert, obstruct, or affect the natural flow or change the bed, channel, or bank of any river, stream, or lake. The Department's issuance of a SAA for a project that is subject to CEQA requires CEQA compliance actions by the Department as a Responsible Agency.

The Department appreciates the opportunity to comment on this NOP. Please contact Libby Lucas of the Department at (858) 467-4230 if you have any questions or comments concerning this letter.

Sincerely,



For William E. Tippetts
Environmental Program Manager

Literature Cited

May, C.R., R. Horner, J. Karr, B. Mar, and E. Welsh. 1997. Effects of Urbanization on Small Streams in the Puget Sound Lowland Ecoregion. In: Watershed Protection Techniques, 2(4): 483-494.

Schueler, T. 1994. The Importance of Imperviousness. In: Watershed Protection Techniques, 1(3): 100-111.

requirements of a 2081 permit. For these reasons, the:

- a. biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit, and
- b. a Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

Memorandum

RECEIVED
JUN 02 2008

To: Candace Gregory, Chief
Southern Region
Department of Forestry and Fire Protection

DPLU - PPCC

Date: May 14, 2008

R46

Attention: Environmental Coordinator
San Diego Unit/Coordinator

Telephone: (916) 657-0300

From: Department of Forestry and Fire Protection
Allen S. Robertson, Deputy Chief, Environmental Protection

Subject: Environmental Document Review

Project Name: San Diego County General Plan Update
SCH #: 2002111067
Document Type: Notice of Preparation (NOP)

Potential Area(s) of Concern: Fire Protection?;

Other: Board of Forestry/FP Review. Involve Zimny

MANDATED DUE DATE: 05/28/08

The above referenced environmental document was submitted to State Headquarters, Environmental Protection for review under the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA). The proposed project, located within your unit, may have an impact upon the Department's fire protection and/or natural resource protection and management responsibilities or require the Department's permits or approval. Your determination of the appropriate level of CDF involvement with this project is needed. Please review the attached document and address your comments, if any, **to the lead agency** prior to the due date. Your input at this time can be of great value in shaping the project. If the Unit's Environmental Coordinator is not available, please pass on to another staff member in order to meet the mandated deadline.

Please submit comments directly to the lead agency before the mandated due date with copy to the State Clearinghouse (P.O. Box 3044, Sacramento, CA 95812-3044).

☒ No Comment - explain briefly on the lines below.

Will follow the county's process on fire protection

Name and Title of Reviewer: Stephen H. Hall Deputy Chief
Phone: (809) 596-3100 Email: Steve.hall@fire.ca.gov

Note: Please complete this form and return it, with a copy of any comments, for CDF's records to:
Brian R. Barrette or Allen S. Robertson, Environmental Protection, P.O. Box 944246, Sacramento CA
94244-2460.

Memorandum

To: Candace Gregory, Chief
Southern Region
Department of Forestry and Fire Protection

Date: May 14, 2008
R46

Attention: Environmental Coordinator
San Diego Unit/Coordinator

Telephone: (916) 657-0300

From: Department of Forestry and Fire Protection
Allen S. Robertson, Deputy Chief, Environmental Protection

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MAY 23 2008
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Please submit comments directly to the lead agency before the mandated due date with copy to the State Clearinghouse (P.O. Box 3044, Sacramento, CA 95812-3044).

☒ No Comment - explain briefly on the lines below.

From a natural Resource protection standpoint, I do not see
where the San Diego County General Plan update will have a
negative affect on Natural Resources.

Name and Title of Reviewer: Lynnette Short - Forestry Assistant II
Phone: (415) 937-1410 Email: lynnette.short@fire.ca.gov

Note: Please complete this form and return it, with a copy of any comments, for CDF's records to:
Brian R. Barrette or Allen S. Robertson, Environmental Protection, P.O. Box 944246, Sacramento CA
94244-2460.



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

May 28, 2008

Mr. Devon Muto
San Diego County Department of Planning and Land Use (DPLU)
501 Ruffin Road, Suite B
San Diego, California 92123
Gpupdate.dplu@sdcounty.ca.gov

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
(EIR) FOR THE COUNTY OF SAN DIEGO GENERAL PLAN UPDATE PROJECT,
LOG NO. 02-ZA-001, SAN DIEGO, SAN DIEGO COUNTY (SCH#2002111067)

Dear Mr. Muto:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of an Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The proposed project is a comprehensive update of the San Diego County General Plan. The updated General Plan will direct population growth balanced with infrastructure needs, development, and resource protection. More specifically, the proposed project will focus population capacity in the western portions of the County and reduce the potential for growth in the eastern areas." DTSC has the following comments; please address if applicable.

- 1) DTSC recognizes that this is a countywide plan and therefore not site-specific. EIRs for future, site-specific plans should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances. Your document states: "Land Use: Various: Residential, Industrial, Civic, Commercial, Agriculture, Recreational."
- 2) Any future site-specific EIRs should identify the known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

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- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) Any future site-specific EIRs should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No.17 below for more information.
- 4) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in

which hazardous substances were found above regulatory standards should be clearly summarized in a table.

- 5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted prior to new development or construction. All closure, certification or remediation approval reports should be included in any site-specific EIRs.
- 6) If any property adjacent to a future project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.
- 7) If buildings, other structures, or associated uses; asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 8) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 9) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations of a project, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).

- 11) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (714) 484-5423 to initiate pre-application discussions and determine the permitting process applicable to the facility.
- 12) If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- 13) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 14) If project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
- 15) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.
- 16) If a site was used for agricultural, cattle ranching or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of a project.
- 17) Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.
- 18) In future CEQA documents please provide contact title, e-mail address, and agency web address which contains the project information. Also, if a project title changes, please provide historical project title(s).

Mr. Devon Muto
May 28, 2008
Page 5

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, preferably at email: thom@dtsc.ca.gov. Her office number is (714) 484-5477 and fax at (714) 484-5438.

Sincerely,



for Mr. Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program - Cypress

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
gmoskat@dtsc.ca.gov

CEQA #2158



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
DISASTER ASSISTANCE PROGRAMS BRANCH
3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
PHONE: (916) 845-8101 FAX: (916) 845-8381



May 5, 2008

Mr. Devon Muto
San Diego County Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

RE: Notice of Preparation for a Draft Environmental Impact Report for the County of San Diego
General Plan Update, SCH# 2002111067

Dear Mr. Muto:

Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the county's general plan update. In preparing the general plan and accompanying DEIR, the county should examine the sections of state planning law that involve potential hazards the county may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, county staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the unincorporated communities which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the county has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. OES would be happy to share all available information at our disposal to facilitate the county's ability to comply with state planning and environmental laws.

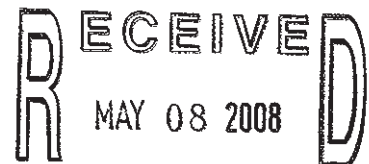
If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@OES.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Dennis Castrillo".

Dennis Castrillo
Environmental Officer

cc: Office of Planning and Research



DPLU - PPCC

Attachment A

Hazards and State Planning Law Requirements (All citations are from the Government Code)

65302. Seven mandated elements

The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan that are subject to flooding and shall be reviewed annually with respect to those areas. The land use element shall designate, in a land use category that provides for timber production, those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(g) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards. Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the Division of Mines and Geology of the Department of Conservation and the Office of Emergency Services for the purpose of including information known by and available to the department and the office required by this subdivision.

(d) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county. The conservation element may also cover:

- (1) The reclamation of land and waters.
- (2) Prevention and control of the pollution of streams and other waters.
- (3) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- (4) Prevention, control, and correction of the erosion of soils, beaches, and shores.
- (5) Protection of watersheds.
- (6) The location, quantity and quality of the rock, sand and gravel resources.
- (7) Flood control.

65302.3. Consistency with airport land use plans

(a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

65302.6. Development of a local hazard mitigation plan

(a) A city, county, or a city and county may adopt with its safety element pursuant to subdivision (g) of Section 65302 a local hazard mitigation plan (HMP) specified in the federal Disaster Mitigation Act of 2000 (P. L. 106-390). The hazard mitigation plan shall include all of the following elements called for in the federal act requirements:

- (1) An initial earthquake performance evaluation of public facilities that provide essential services, shelter, and critical governmental functions.
- (2) An inventory of private facilities that are potentially hazardous, including, but not limited to, multiunit, soft story, concrete tilt-up, and concrete frame buildings.
- (3) A plan to reduce the potential risk from private and governmental facilities in the event of a disaster.

65560. Definitions (Open-Space Lands)

(a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

- (1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

April 29, 2008

To: Reviewing Agencies

Re: County of San Diego General Plan Update
SCH# 2002111067

Attached for your review and comment is the Notice of Preparation (NOP) for the County of San Diego General Plan Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Devon Muto
San Diego County Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



May 23, 2008

Devon Muto
San Diego County
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Dear Mr. Muto:

Re: SCH# 2002111067; County of San Diego General Plan Update

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

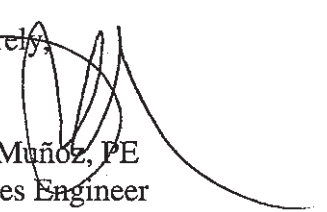
The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-NOP* from the State Clearinghouse. RCES recommends that the City add language to the General Plan so that any future development planned adjacent to or near any railroad/light rail right-of-way be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad/light rail right-of-way.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad/light rail right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians.

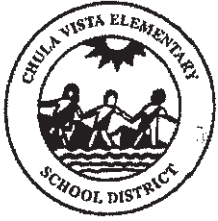
If you have any questions, please contact Varouj Jinbachian, Senior Utilities Engineer at 213-576-7081, vsj@cpuc.ca.gov, or me at rxm@cpuc.ca.gov, 213-576-7078.

Sincerely,


Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

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MAY 27 2008

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CHULA VISTA ELEMENTARY SCHOOL DISTRICT

34 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • 619 425-9600

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

BOARD OF EDUCATION

DAVID BEJARANO
LARRY CUNNINGHAM
PATRICK A. JUDD
BERTHA J. LÓPEZ
PAMELA B. SMITH

May 20, 2008

SUPERINTENDENT

LOWELL J. BILLINGS, Ed.D.

Mr. Eric Gibson
Interim Director
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123

Re: Project No.: 02-ZA-001

Project: County of San Diego General Plan Update

Dear Mr. Gibson:

Thank you for the opportunity to respond to the Notice of Preparation of a Draft Environmental Impact Report on the project referenced above. The District does not identify any issue and has no comment on the proposed draft of the general plan update.

Thank you for keeping us apprised of the projects up for review at the County Department of Planning and Land Use.

Sincerely,

Rudy Valdez-Romero
Director of Maintenance and Operations

RVR:sa

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PLANNING & BUILDING DEPARTMENT

June 9, 2008

Mr. Devon Muto
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Subject: Comments on the NOP of a Draft Program EIR for the County of San Diego General Plan Update (SCH #2002111067) LOG NO. 02-ZA-001

Dear Mr. Muto:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the County of San Diego General Plan Update Draft Program Environmental Impact Report (PEIR). The City of Chula Vista received the NOP for the proposed project on April 30, 2008.

The City of Chula Vista's boundaries about three Planning Areas within the County of San Diego jurisdiction: Otay to the east and south, Jamul/Dulzura to the east and north, and Sweetwater to the north. The EIR will have to analyze any impacts associated with proposed changes within these three Planning Areas on the City of Chula Vista, and provide adequate mitigation.

Each alternative analyzed in the Program EIR should use for its background land use assumptions in the recently adopted City of Chula Vista General Plan Update (December 13, 2005). A copy of this document can be found on our web site at www.chulavistaca.gov.

Biological Resources

The EIR must analyze the GPU in accordance with the City of Chula Vista's Multiple Species Conservation Program (MSCP), the Otay Ranch Resource Management Plan (RMP) Phases 1 and 2, and the Otay Ranch General Development Plan (GDP)/Subregional Plan (SRP). Various projects located adjacent to the City's MSCP Subarea Plan Preserve will be required to adhere to the provision of the Subarea Plan (Section 7.5.2 – Adjacency Management Guidelines) in order to reduce any potential indirect impacts to the Preserve. The EIR must also consider impacts from those projects located within the unincorporated areas of Otay Ranch to the RMP and GDP and as necessary identify adequate mitigation measures.

Hydrology and Water Quality

Drainage basins that are co-located in both the City and the County should be adequately analyzed and mitigated for county-related growth.

Land Use Planning

The EIR should clearly identify impacts of any proposed land use changes on the City of Chula Vista as a result of proposed changes to the County General Plan. Please provide a table showing the existing and proposed land use changes, new land use categories, acreage changes within each land use category, and density increase or decrease within each of the 3 planning areas abutting the City of Chula Vista. It was difficult to decipher proposed land use changes from the various maps posted on the County's website.

Otay Landfill: Please indicate if any changes are proposed for the landfill and provide full description of the changes. The EIR must include an analysis of impacts of the changes to the City of Chula Vista and identify adequate mitigation measures.

Public Services

Police, Fire and emergency services may be required from the City of Chula Vista, which would place demands on the City's safety service. Other public services to be provided by the City of Chula Vista to county residents include recreational needs such as parks, and schools. Impacts to these services must be analyzed and all mitigation identified in the EIR.

Transportation and Traffic

The EIR must analyze impacts to the City of Chula Vista's circulation network as a result of changes to the General Plan. Appropriate mitigation must be identified, including how the mitigation will be implemented and the cost of all mitigation measures.

Please be advised that the City of Chula Vista is presently working with SANDAG to update the City of Chula Vista's land use inventory based upon the City's Adopted General Plan. Series 11 does not have the City of Chula Vista's Adopted Land Uses and Circulation Element.

The following roads are of particular concern:

- La Media Road and La Media Road Bridge
- Heritage Road and Heritage Road Bridge
- Proctor Valley Road, east of Agua Vista Drive
- Otay Lakes Road east of Lake Crest Drive

- Willow Street Bridge
 - Bonita Road
- a. The EIR should assess the direct and cumulative impacts to the City's circulation system and recommend mitigation measures.
 - b. The EIR must assess the impacts of proposed changes to the County's General Plan that will result in an increase in allowable land use intensities/densities in the County's jurisdiction an/or in the sphere of influence areas. The County's sphere of influence includes portions of Sweetwater/Bonita, Jamul/Dulzura and the Otay Mesa areas.
 - c. The EIR should identify any inconsistencies between the City's and County's planned roadway system.
 - d. The EIR should identify any City Circulation Element roadways that are proposed to be reclassified and/or realigned within the sphere of influence areas.
 - e. The EIR should use the City's Public Road Standards criteria for the assessment of the roadway system with the City's jurisdiction.
 - f. The EIR should use the City's Public Road Standards criteria for the assessment of the roadway system within the City's jurisdiction.

The EIR traffic analysis should include other modes of transportation such as pedestrian and bicycle usage. The GPU and EIR should address non-motorized transportation methods and provide connectivity between the City of Chula Vista and County for all residents' use.

Utilities and Service Systems

Sewer: The EIR must identify any area within the County that requires sewer service from the City of Chula Vista, analyze potential impacts and provide adequate mitigation. Any proposed development within the City's sphere of influence that requires the use of City sewer facilities should be analyzed as a possible annexation to the City of Chula Vista.

Cumulative Impacts

The EIR must adequately quantify all cumulative impacts relating to growth within the County as it relates to the City of Chula Vista, and identify adequate mitigation measures to reduce impacts.

We appreciate the opportunity to comment on this NOP and look forward to working with you during the preparation of the EIR and to reviewing the completed document. The City of Chula Vista requests notification prior to any and all scheduled public meetings, hearings, and workshops, and availability of draft documents related to the proposed project. Please send notices to my attention. If you have any questions regarding the above comments, please contact me at (619) 585-5707.

Sincerely,

A handwritten signature in dark ink, appearing to read "Marilyn R.F. Pongeggi", followed by a stylized flourish.

Marilyn R.F. Pongeggi
Principal Planner

Cc: Nancy Lytle, Acting Director of Planning and Building
Ed Batchelder, Advance Planning Manager
Kirk Ammerman, Principal Civil Engineer
Frank Rivera, Principal Civil Engineer



Jonathan H. Brindle, AICP
Director of Community Development
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4671 Fax: 760-839-4313

May 28, 2008

Eric Gibson, Interim Director
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-2960

SUBJECT: County of San Diego General Plan Update 2020 (Log No. 02-ZA-001) SCH
#2002111067 – Response to Notice of Preparation of an Environmental Impact Report

Dear Mr. Gibson:

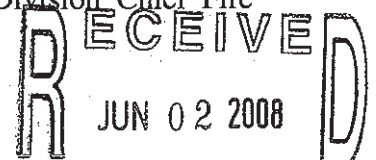
The City of Escondido appreciates the opportunity to respond to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the County's General Plan Update. We look forward to working with you and your staff to coordinate planning efforts in the vicinity of Escondido. Our comments focus primarily on the North County Metro Community Planning Area Draft Land Use Plan (Draft Plan). We have several areas of concern that we feel should be assessed in the DEIR that include: land use changes within Escondido's Sphere of Influence, the provision of public services, coordination of our circulation elements, the provision of utilities, and other issues described below:

Land Use and Planning:

For unincorporated areas within Escondido's General Plan and Sphere of Influence Areas the Draft Plan proposes densities that exceed Escondido's General Plan densities. Areas within Escondido's Sphere of Influence are presumed for eventual annexation. The Draft Plan should include adequate infrastructure (or funding) concurrent with development to support increased densities within these areas with regard to fire, parks, sewer, water, etc. to ensure that deficiencies are not created.

Public Services:

Fire Services - Several unincorporated areas surrounding Escondido's City Limits are served by the City's Municipal Fire Department. Increasing county densities in these areas will potentially increase the calls for service and require additional staffing and purchasing additional equipment. The DEIR should assess the existing (and proposed) fire protection needs for the proposed density increases and develop criteria to ensure adequate fire protection is in place concurrent with development. Our contact for Fire Service issues is Dominick Arena, Division Chief Fire Marshal. He can be reached at (760) 839-5403.



DPLU - PPCC

Recreational Services - The proposed increased county densities surrounding Escondido will generate an increased demand on parks and recreational facilities. The City of Escondido currently maintains a General Plan Quality of Life standard for park acreage to serve its residents. The DEIR should evaluate additional County parkland needs and the location of park space based on the population generated by increased densities to avoid impacting City facilities. Our contact for recreational services is Robin Bettin, Assistant Director of Community Services. She can be reached at (760) 839-6269.

Transportation and Traffic:

Proposed increased densities in unincorporated areas around Escondido may impact City streets and intersections. The DEIR should analyze impacts to Escondido's Circulation System not only generated by increased densities within the City's General Plan and Sphere of Influence Areas, but also outlying areas that rely on Escondido's circulation system for access including Valley Center, Ramona, and Hidden Meadows, in order to coordinate our circulation elements and identify improvements within the City and Sphere of Influence. We request that the impacts be assessed using the City's Circulation Element Designations and the City's Quality of Life standards for areas within our boundaries. Homi Namdari, Assistant City Engineer at (760) 839-4597 is our contact for traffic related issues.

Utilities and Service System:

Waste Water – Proposed residential densities in several unincorporated areas within Escondido's General Plan and Sphere of Influence Areas appear too high for relying upon on-site septic programs. Therefore, the DEIR should assess sewer capacity needs and establish a mechanism for funding improvements necessary to determine ultimate facility requirements. Facilities for treating anticipated waste water will need to be included as part of the discussion for increasing densities in these areas. The City's policy for providing sewer service only includes those properties annexed within Escondido's corporate boundaries (unless a separate agreement is approved by the City Council, LAFCO and the County). Annexation to the City would, in many cases result in lower densities than those proposed by the County's General Plan Update. The DEIR will need to analyze densities in these areas and include programs, facilities and property for addressing anticipated sewage treatment that does not rely upon Escondido's treatment facility.

Escondido's land outfall line is a 36-inch diameter pipeline that conveys 18 million gallons of waste water per day from the City's Hale Avenue Resource Recovery Facility (HARRF) 14 miles to the coast. The outfall line primarily parallels Escondido Creek traversing private property in the unincorporated county within a 20-foot-wide easement. The DEIR should evaluate policies that address development along the outfall line to ensure access, and operations and maintenance activities are not impeded along the entire reach. Potential mitigation measure could include a requirement to plot the existing outfall easement on all development applications and to notify City Utilities Division of all pending development applications along the easement. Angela Morrow, Deputy Utilities Manager at (760) 839-4038 is our contact for the City's wastewater facilities.

Eric Gibson
May 28, 2008
Page 3

Water – Several unincorporated areas surrounding Escondido's City Limits are served by the City's Municipal Water Department. Increasing densities in these areas will potentially increase the water demand and infrastructure requirements. The DEIR should assess the existing (and proposed) water needs for the proposed density increases and establish criteria to ensure adequate infrastructure is in place concurrent with development. Our contact is Richard Walker, Water Treatment Plant Superintendent. He can be reached at (760) 839-5460.

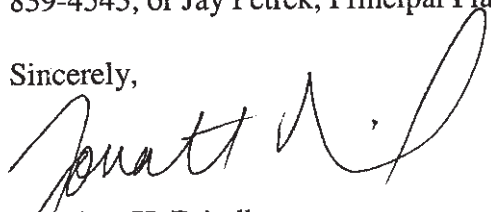
Hydrology - Proposed increased densities in unincorporated areas around the City of Escondido will potentially increase impervious surfaces and increase water runoff. Several unincorporated areas surrounding Escondido drain into the City's storm water systems; increases in volumes may adversely impact the City's infrastructure. The DEIR will need to analyze impacts to the City's storm water system from increased densities within Escondido's General Plan and Sphere of Influence Areas. Homi Namdari, Assistant City Engineer is our contact for the City's storm water system. He can be reached at (760) 839-4597.

Biological Resources:

The City of Escondido owns large landholdings within its Sphere of Influence in the unincorporated area within the county's MSCP North County Amendment Area, including Stanley Peak and the former Cruz property along Valley Center Road. The DEIR should evaluate policies regarding conservation and management of these properties in the event that these areas are annexed into the City of Escondido. Barbara Redlitz, Assistant Planning Director is our contact for the City's MHCP and she can be reached at (760) 839-4546.

We appreciate the opportunity to comment on the NOP and look forward to receiving a copy of the DEIR addressing the above-listed concerns. Please feel free to call either myself at (760) 839-4543, or Jay Petrek, Principal Planner, at (760) 839-4556, if you have any questions.

Sincerely,



Jonathan H. Brindle
Director of Community Development

cc: Barbara Redlitz, Assistant Planning Director
Dominick Arena, Division Chief Fire Marshal
Edward Domingue, Public Works Director
Homi Namdari, Assistant City Engineer
Angela Morrow, Deputy Utilities Manager
Robin Bettin, Assistant Director of Community Services
Richard Walker, Water Treatment Plant Superintendent



PECHANGA INDIAN RESERVATION

Temecula Band of Luiseno Mission Indians

OFFICE OF THE GENERAL COUNSEL

Post Office Box 1477 • Temecula, CA 92593
Telephone (951) 676-2768 Ext. 2138 Fax (951) 587-8162

General Counsel

John L. Macarro

Deputy General Counsel

James E. Cohen

Laura Y. Miranda

May 27, 2008

Eric Gibson, Interim Director
San Diego County Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Re: **San Diego County GP2020 Notice of Preparation for the Draft Environmental Impact Report (02-ZA-001)**

Dear Mr. Gibson:

The Pechanga Band of Luiseno Indians of the Pechanga Indian Reservation, a federally recognized Indian Tribe (hereinafter "Pechanga Tribe"), submits the following response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the San Diego County GP2020 Update (02-ZA-001). These comments are preliminary as the Tribe is currently gathering information relative to the potential impacts to cultural resources of the San Diego County General Plan update. The Pechanga Tribe looks forward to submitting more detailed comments when it receives further information on the specific cultural resources impacts that the General Plan may have. At this time the Pechanga Tribe is submitting general comments regarding their interests and concerns with the General Plan Update. We request that these comments, as well as subsequent comments submitted by the Pechanga Tribe, be included in the record for approval of the Project.

In addition, the Pechanga Tribe, a federally recognized Indian tribe and sovereign government, is formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the CEQA environmental review process for the duration of the Project. Please add the Pechanga Tribe to your mailing list for this and other projects which will impact Luiseno sites.

Pechanga Indian Reservation
Pechanga Cultural Resources Department
P.O. Box 2183
Temecula, CA 92593

THE PECHANGA TRIBE IS CULTURALLY AFFILIATED
WITH LAND WITHIN THE COUNTY'S JURISDICTION
AND SPHERE OF INFLUENCE

The Pechanga Tribe has a legal and cultural interest in the proper protection of sacred places and all Luiseno cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseno village sites and archaeological items which would be displaced by development, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of development and improvements within the County.

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DPLU - PPCC

The Pechanga Tribe asserts that the Luiseño territory extends southward from western Riverside County into the northeast corner of San Diego County and is part of the Pechanga Tribe's aboriginal territory, as evidenced by the existence of Luiseño place names, rock art, pictographs, petroglyphs, and an extensive Luiseño artifact record. The Tribe asserts that this culturally sensitive area is affiliated specifically with the Pechanga Band of Luiseño Indians because of the Tribe's specific cultural ties to this area. Pechanga considers any resources located within this regional area to be Pechanga cultural resources.

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; identified locations of rock art and Luiseño sites and through recorded ethnographic and linguistic accounts. Of the many anthropologists and historians who have presented boundaries of the Luiseño traditional territory, none have excluded at least some portions of this area from their descriptions (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994). Current territory boundaries as placed by the Pechanga Tribe are based upon communications by our elders and these ethnographic and anthropological descriptions. Although, while historic accounts, anthropological and linguistic theories are important in determining traditional Luiseño territory; the Pechanga Tribe asserts that the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions.

Luiseño history begins with the creation of all things at *'éxva Teméeku*; which is located within the northern portion of the Project area, and dispersing out to all corners of creation (what is today known as Luiseño territory). *Éxva* describes a "place of sand" and *Teméeku* literally means "sky place." Temecula derives its etymology from this meeting place, where the Santa Margarita River, Temecula Creek and Pechanga Creek converge into the Santa Margarita River and flow onto the Pacific Ocean. While these terms indicate a specific place, it is important to note that many locational terms refer to a much larger area and often incorporate many square miles of land. This location is where our Origin Story and ancestral songs say *Tiúkumit* (Father Sky) and *Tamáayawut* (Earth Mother) created the world. Their children were known as the first people or *Kaamalam*, which were all the creatures: trees, rocks, fog, deer, bear, birds and humans.

Our creation songs state that it was at Temecula that the first human, *Wuyóot*, lived, fed and taught the people and here that he became sick. Many Luiseño songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs, including Murrieta Hot Springs (*Churúkunuknu Sákiwuna*) and those at Lake Elsinore (*'iténgvu Wumówmu*), where he died. He was cremated at *'éxva Teméeku*. It is our creation account that states the Luiseño have always lived in Temecula and the surrounding areas. The Temecula people, who were evicted and moved to the Pechanga Reservation, are now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe).

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Monívol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). Another well known story is that of Nahachish, who traveled from Temecula around the perimeter of Palomar Mountain, naming places as he went. These examples

illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

Rock art is an important element in the determination of Luiseño territorial boundaries. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small indentations, or cupules. While these types of marking occur throughout the world, we believe that they may represent territorial markers:

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (DuBois 1908:158).

Numerous ethnographers make mention of the fact that the Luiseño were highly territorial, and that territories were marked and jealously guarded. Trespassing was cause for conflict and at times outright warfare between groups. The young were taught never to trespass on the land of others in pursuit of game or the gathering of food without permission (Sparkman 1908:190).

Other types of rock art, pictographs and petroglyphs, have also been documented in Luiseño territory and are integral for territory determination. Typically, it would appear that there is at least one pictograph location per village site.

Most pictographs are located some distance from the village site on isolated boulders or rock outcrops. The remainder are at the village sites or occupation areas and in small cave shelters. The association between pictograph sites and known Luiseño village sites is clearly visible by the manner in which these sites fit the ethnological descriptions (True 1954:68-69).

Regarding the style of the pictographs present throughout Luiseño territory, it is quite distinctive and corresponds ethnographically with what has been written regarding Luiseño puberty ceremonies and Luiseño cosmology:

Such elements as diamonds, chevrons, dots, and simple line forms can be traced in petroglyphs throughout California and the southwest. It is only in the characteristic manner of assembly and the circumstances under which they were made that the pictographs of this area become especially distinctive. The distinctive use of the geometric forms and the almost complete absence of many elements common to other petroglyph areas cause the designs of this region to stand out in a comparative study (True 1954:72).

This style of rock art is termed San Luis Rey Style, and is generally associated with late prehistoric and historic Luiseño populations. The type site that is the major locus of the style is on the San Luis Rey River, in San Diego County (Hedges 1990:81). The Rancho Bernardo Style consists of large-scale geometric, rectangular panels painted in red or in petroglyph form, especially maze-like

patterns and sometimes contained in rectangular borders. This style (Hedges 1979) overlaps Northern Diegueño and Luiseño territories with extensions eastward into the Cahuilla area.

Thus, our songs and stories, our indigenous place manes, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as North San Diego County, Temecula, and the areas in between, and as such, Pechanga is the appropriate culturally affiliated tribe for projects that impact this geographic area.

In addition, the Pechanga Tribe has a long modern day history of involvement with Projects in San Diego. The Pechanga Tribe has been involved on projects located in the North County vicinity, such as the Hwy 76 Project, the Hidden Meadows Project and the 15 Fwy Project.

The Tribe would welcome to opportunity to meet with the County of San Diego to further explain and provide documentation concerning our specific cultural affiliation to lands within this geographical region.

CULTURAL RESOURCES SHOULD BE THOROUGHLY EVALUATED IN THE DEIR

Because various areas of San Diego County have the potential to be rich in cultural resources, CEQA requires a thorough evaluation of the cultural resources. The Tribe would request to continue to be involved in all assessment and evaluation done by the County, and to participate as a partner in interpreting the results and devising appropriate mitigation based upon those results.

Further, the Pechanga Tribe requests that the County take steps for the protection of any uncovered resources in the process of these assessments. The additional surveys may reveal significant archaeological resources and sites which may be eligible for inclusion in the historic site register, may contain human remains and/or may be sacred Luiseno sites.

PECHANGA TRIBAL INVOLVEMENT

The Pechanga Tribe will itself be engaging in further assessment, in consultation with tribal elders, to identify more specific information about these culturally sensitive areas. Moreover, the Tribe possesses necessary information about the archeological and cultural sensitivity that an archeological survey alone will not reveal, and should be consulted with at the earliest possible stage of the environmental review to assist in identifying and mitigating the cultural resources impacts for those areas of the County which are traditionally Luiseno territory. Given that Native American cultural resources may be affected, the Pechanga Tribe requests it be allowed to be involved and participate with the County in creating mitigation plans under California Public Resources Code § 21081

According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given portions of the County are in Pechanga aboriginal territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered within its territory.

CONCLUSION

In order to approve an EIR, the County is required to make findings that it has adopted mitigation measures that have eliminated or substantially lessened all significant effects on the environment where feasible. CEQA Guidelines § 15092. As such, the Tribe urges the County to require a thorough investigation for cultural resources in the EIR in order to properly assess the effects on such resources and adopt appropriate mitigation measures.

The Pechanga Tribe looks forward to working together with the County in protecting the invaluable Luiseño cultural resources found within San Diego County. If you have any questions, please do not hesitate to contact me at (951) 676-2768, Ext. 2137.

Sincerely,



Laura Y. Miranda
Deputy General Counsel

cc: Pechanga Cultural Resources Department
Brenda Tomaras, Tomaras & Ogas, LLP

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

P.O. BOX 82776, SAN DIEGO, CA 92138-2776
619.400.2400 WWW.SAN.ORG

May 20, 2008

Ms LeAnn Carmichael
County of San Diego
Department of Planning & Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

**Re: Airport Land Use Commission Determination
County of San Diego General Plan Update**

Dear Ms Carmichael:

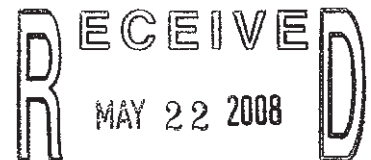
The San Diego County Regional Airport Authority has received your Notice of Preparation for the Environmental Impact Report (EIR) for the above-referenced project.

In designating land uses and densities, general plans affect properties which are located within several Airport Influence Areas (AIA) within the jurisdiction of the County and which are subject to policies contained in their respective Airport Land Use Compatibility Plans (ALUCP). These ALUCPs include those adopted for the following airports: Agua Caliente, Borrego Valley, Brown Field, Fallbrook Community Airpark, Gillespie Field, Jacumba, Marine Corps Air Station Miramar, Ocotillo, and Ramona. Additionally, the Airport Authority is presently proposing to adopt a new ALUCP for MCAS Camp Pendleton and a revised ALUCP for MCAS Miramar, which would also affect lands under County jurisdiction.

Pursuant to California Public Utilities Code § 21676(b), the County General Plan Update requires review by the Airport Authority acting as the Airport Land Use Commission (ALUC) for San Diego County. This review is mandated by State statute in order to determine that general plan land use and density designations are consistent with ALUCPs. The goal is to ensure airport operations and public safety are not adversely affected. Under the governing statute cited, ALUC review of the General Plan Update is required prior to its adoption by the County since the General Plan is required to be consistent with the adopted ALUCPs, unless the County acts to overrule those ALUCPs per statutory requirements. Because the EIR must address environmental impacts including, but not limited to, noise and hazards specifically relative to airports, it is imperative that the significance of these elements be reviewed by the ALUC.



SAN DIEGO
INTERNATIONAL
AIRPORT



DPLU - PPCC

Please submit the Application for Determination of Consistency, which may be filled out online at [http://www.san.org/documents/aluc/ALUC Consistency Determination Application.pdf](http://www.san.org/documents/aluc/ALUC%20Consistency%20Determination%20Application.pdf). ALUC staff will acknowledge receipt of a complete application in writing and will proceed with review of the project. Within 60 days of deeming an application complete, ALUC staff will report its findings to the Airport Authority Board, acting as the ALUC, to issue a determination of consistency. You will receive notice of the Airport Authority Board hearing which will consider your project.

If you have any questions, please contact me at (619) 400-2464 or ssawa@san.org.

Sincerely,



Sandi Sawa
Interim Manager, Airport Planning

cc: Amy Gonzalez, SDCRAA-General Counsel
Gary Cathey, Caltrans – Division of Aeronautics
Peter Drinkwater, County of San Diego, County Airports



1600 Pacific Highway • Room 452 • San Diego, CA 92101
(619) 531-5400 • FAX (619) 557-4190

San Diego Local Agency Formation Commission

Website: www.sdlafco.org

Chairman

May 28, 2008

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Public Member

Vice Chairman

Bill Horn
County Board of
Supervisors

Eric Gibson, Interim Director
County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd., Suite B
San Diego, CA 92123-1666

Members

Donna Frye
Councilmember
City of San Diego

SUBJECT: Notice of Preparation of an Environmental Impact Report
for the County of San Diego General Plan Update (Log No.
02-ZA-001; SCH No. 2002111067)

Dianne Jacob
County Board of
Supervisors

Andrew J. Menshek
Padre Dam
Municipal Water District

Carl Hilliard
Councilmember
City of Del Mar

Bud Pocklington
South Bay Irrigation District

Betty Rexford
Councilmember
City of Poway

Dear Mr. Gibson,

Thank you for allowing the San Diego Local Agency Formation Commission (LAFCO) to provide comments on the above referenced project. LAFCO is empowered by the California State Legislature with discretionary authority over proposed changes to local government organization, extension of municipal services, and any associated sphere of influence actions.

Alternate Members

Mark Lewis
Mayor
City of El Cajon

Greg Cox
County Board of
Supervisors

John S. Ingalls
Santa Fe
Irrigation District

Harry Mathis
Public Member

Brian Maisenschein
Councilmember
City of San Diego

LAFCO is typically a responsible agency for environmental review under the California Environmental Quality Act (CEQA) when a proposed project requires LAFCO discretionary approval(s). As a responsible agency, LAFCO would typically utilize the lead agency's CEQA documentation; therefore, it is important for the environmental documents to include, at a minimum: a discussion of how the project area is proposed to receive public services; the ability of existing agencies to provide services; a description of existing infrastructure and the capability, availability, and capacity of services (e.g., connection distances to facilities, response times for police and fire protection, capacity of regional facilities, etc.); and an analysis of the associated jurisdictional, sphere of influence, and municipal service review changes.

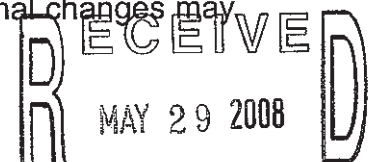
LAFCO is directed to exercise its discretionary authority in a manner that encourages orderly development and growth while fulfilling many regional priorities, such as accommodating additional growth within, or through the expansion of local agency boundaries. LAFCO is also required to consider the impact that proposed jurisdictional changes may

Executive Officer

Michael D. Ott

Counsel

William D. Smith



DPLU - PPCC

Mr. Gibson
Page two
May 28, 2008

have on providing necessary governmental services and housing for persons of all incomes. Therefore, we offer the following comments:

The Notice of Preparation states that the County's comprehensive update of its General Plan will *"...have the effect of directing population capacity and development in the western portions of the unincorporated area and reducing the potential for growth in the eastern areas to balance growth and development with infrastructure needs and resource protection."* Accordingly, it will be necessary for the County to coordinate its General Plan update effort with the adjacent incorporated jurisdictions and affected special district service providers. This should involve a review of the adopted general plans, master facility plans, and spheres of influence of the adjacent public agencies.

If the proposed General Plan Update requires changes to local governmental organization, extensions of services, and/or changes to adopted spheres of influence, then the San Diego LAFCO would be a responsible agency for any associated environmental review. As a responsible agency under CEQA, we will submit additional comments related to the General Plan Update EIR to ensure conformance with LAFCO policies, procedures, and requirements in State Law.

Should you have any questions, or if San Diego LAFCO may be of any further assistance, please contact me at (619) 531-5409.

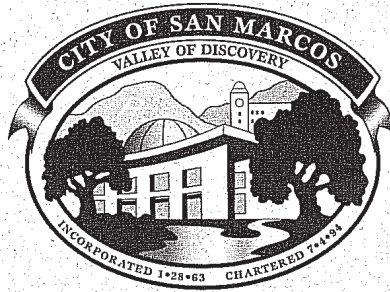
Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Barry', with a stylized flourish at the end.

ROBERT BARRY
Local Governmental Analyst

RB:trl

1 Civic Center Drive
San Marcos, CA 92069-2918



Telephone
(760)744-1050

May 28, 2008

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Subject: Response to the NOP for the General Plan Update EIR, LOG No. 02-ZA-001

In response to the Notice of Preparation (NOP) for the above referenced project, the City of San Marcos Development Services Department, Planning Division, submits the following comments:

1. The NOP states that the General Plan Update EIR will evaluate changes in land use distribution anticipated and potential impacts to any adopted Habitat Conservation Plan. The City requests that the EIR further evaluate the potential impact of land use changes to the draft North County Multiple Species Conservation Plan. It is important to ensure connectivity of biological sensitive habitat lands.
2. The Merriam Mountain proposed land use density of 1.16 du/acre is not consistent with the 1du/20acre land use designation shown on the General Plan Update Land Use Distribution map. The Merriam Mountain project is therefore not consistent with the proposed General Plan land use density.
3. In regard to the population and housing section, the EIR should make it clear where the population growth density shifts will occur, and to what extent this change will impact regional housing needs.
4. The Vallecitos Water District Master Plan is based on the adopted County General Plan. The Vallecitos Water District Facilities Master Plan will need to consider the General Plan Update land use changes in an effort to determine the availability of water and sewer service for areas proposed for higher densities in the General Plan Update than previously anticipated. Greater demand for water and sewer demand, as a result of the General Plan Update, should be considered in the EIR.
5. The traffic section of the NOP states that the EIR "will identify existing and proposed buildout traffic conditions on road segments and intersections with unacceptable levels of service." The EIR should evaluate General Plan land use changes on all anticipated traffic impacts on all impacted roadway segments and intersections, including cumulative impacts and adjoining jurisdictions. The City requests that the build out condition impact analysis for San Marcos roadways and intersections be based on SANDAG 2030 Combined North County Model. In addition, the City recommends consideration of a Traffic Demand Management Plan as a component of the traffic analysis. The City further requests the opportunity to review the scope of the traffic analysis to be prepared as part of the EIR.

The EIR should also evaluate the impact of the General Plan Update on major circulation routes that affect nearby jurisdictions, such as Las Posas Road. It is the City of San Marcos' understanding that the County has received requests from residents that this County segment of Las Posas Road, in the San Marcos Sphere of Influence, be deleted from the County Circulation Element. In considering this, please evaluate the traffic that will be served by Las Posas Road, if diverted, that would impact Twin Oaks Valley Road, thereby creating additional noise and traffic impacts on existing residents as well as potentially causing an over capacity (deficiency) on the roadway near San Marcos Boulevard and State Route 78.

CITY COUNCIL:

Jim Desmond, Mayor

Hal Martin, Vice-Mayor

Mike Preston

Chris Orlando

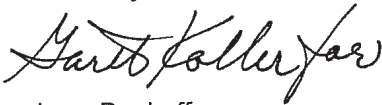
Rebecca Jones

Additionally, at least two roadways in the County Circulation Element (Mulberry Drive and La Cienega Road) are in conflict with the City of San Marcos Circulation Element and Land Use Plan. The County circulation plan should include consideration of the City of San Marcos General Plan Circulation and Land Use Elements, and consult with City staff.

6. In the area of public services, the General Plan Update EIR should evaluate the regional impact of land use changes on the local public service agencies, including fire and police protection. As the County does not have a fire protection district to service all of the unincorporated areas, the impact to local fire protection service agencies should be appropriately evaluated, including impacts to response times caused by traffic increases and/or changes in circulation patterns. Further, the EIR should consider impact analysis related to fuel management zones, including the relationship of these zones to fire protection impacts and biological impacts.
7. The City of San Marcos requests that impacts to parks and trail systems within the City of San Marcos, which also serve County residents, be considered in the impact analysis. The City wants to be assured that the EIR will address any potential project impact to the City of San Marcos Trail Plan in the context of a regional plan.
8. The City requests that the EIR analyze the General Plan changes in relation to the objectives under Permit No. R9-2007-0001 issued by the Regional Water Quality Control Board, the San Diego region.

Thank you in advance for your consideration of these comments. If you have any questions, please feel free to contact me at (760) 744-1050, x.3234.

Sincerely,



Jerry Backoff
Planning Division Director

cc: Paul Malone, City Manager
Charlie Schaffer, Development Services Director
Mike Edwards, City Engineer
Sassan Haghighi, Deputy City Engineer
Mathew Ernau, San Marcos FPD Fire Marshall



401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
www.sandag.org

May 16, 2008

File Number 7000300

Devon Muto
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

SUBJECT: County General Plan Update Notice of Preparation

Dear Mr. Muto:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the County of San Diego's upcoming General Plan Update.

SANDAG staff has reviewed the NOP, Initial Study, and Draft General Plan Policies. The documentation provided indicates that the upcoming General Plan update proposes to support many regional policies, such as directing development toward areas of existing urbanization, creating developments that are internally and externally convenient and accessible by various modes of transportation, and the creation of a multimodal circulation system that provides for the safe, accessible convenient and efficient movement of people and goods.

The attention to regional issues is appreciated and we look forward to completion of the Draft General Plan and associated Draft Environmental Impact Report (DEIR). Based on the information in the Initial Study, SANDAG does not have any comments on the proposed contents of the DEIR at this time.

Sincerely,

TRAVIS CLEVELAND
Regional Planner

TCL/mwo

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Chula Vista
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May 23, 2008

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

RECEIVED
MAY 27 2008

DPLU - PPCC

Subject: City of Santee's Response to the County of San Diego's Notice of Preparation of a Draft Environmental Impact Report for County of San Diego General Plan Update (Log No. 02-ZA-001)

To Whom It May Concern:

This letter will serve as the City of Santee's response to the Notice of Preparation (NOP) which was received on April 29, 2008. On May 22, 2008 a scoping meeting was conducted by the County of San Diego Department of Planning and Land Use on a proposal for a comprehensive update of the County of San Diego's General Plan. The Scoping Meeting and Notice of Preparation identified probable environmental effects in several categories.

The City of Santee is an interested party as it is located adjacent to Lakeside/Bostonia Community Planning Area. Consequently, the County General Plan Update for this portion of the unincorporated area may have environmental impacts on the City of Santee. The City of Santee has reviewed the Notice of Preparation as well as the pertinent documents on the County's website and requests that you consider the following CEQA issues in the preparation of the EIR.

A. Traffic and Circulation

1. Consider the traffic and circulation impacts on incorporated cities that may result for the General Plan Update.
2. Circulation Element changes adjacent to the City of Santee. The Santee General Plan Circulation Element Policies state that Mast Boulevard should not be extended to connect to Riverford Road in the County until the SR-52 extension to SR-67 is completed. It is anticipated that this extension will be completed in 2010.
3. The Board of Supervisors endorsed traffic level of service standard for General Plan 2020 is LOS D. In contrast, the Circulation Element of the Santee General Plan encourages a Level of Service "C" throughout the City's circulation

May 23, 2008

network and prohibits the approval of a project that results in LOS E or F, after mitigation, without overriding social and economic benefits. With this in mind, please consider impacts on the Santee circulation system from county roads such as El Nopal and Woodside Avenue that extend inside city limits.

4. Consider establishing gateway features on major roads adjacent to the boundaries of incorporated communities.

B. Trails

Consider the impacts of Trails Element changes on incorporated cities including the viability of staging areas and trail heads that may be need for cross-jurisdictional multi-use (pedestrian, biking, equestrian) trails that terminate in those jurisdictions.

C. Air Quality/Greenhouse Gas Emissions

Address the environmental impacts of greenhouse gas emissions in the environmental document as required by California State Law.

D. Land Use/Planning

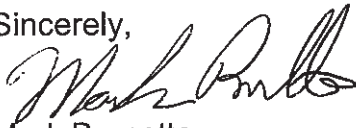
1. Incorporate the concepts of Smart Growth in the General Plan Update as specified in the San Diego County Comprehensive Regional Plan.
2. Address potential safety and noise impacts from County airports such as Gillespie Field, on adjacent jurisdictions.

E. Biological Resources

Consider maintaining wildlife corridors and open space linkages between open space in the unincorporated area and open space within incorporated cities.

The City requests a copy of the draft EIR when it is completed. Please provide ongoing project updates to my attention at mbrunette@ci.santee.ca.us. You may also reach me at (619) 258-4100 extension 158 if you have any questions.

Sincerely,



Mark Brunette
Senior Planner

cc: Melanie Kush, City Planner

May 27, 2008

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Reference: Project Number and Name: Log No. 02-ZA-001: County of San Diego
General Plan Update (SCH #2002111067)

To Whom It May Concern:

The Descanso Planning Group (DPG) is submitting the following comments and concerns that we request be addressed in the scope and content of the environmental information to be contained in the Environmental Impact Report (EIR).

The DPG has reviewed the Board-endorsed Referral Map, Hybrid map, Draft map and Environmentally Superior map. The DPG then voted on the Areas of Difference when comparing the Draft Environmentally Superior Map to the Draft Referral Map.

A Motion was made and passed by majority vote to retain all RL40 designations in Descanso both north and south of I-8 and SR 79. We request this be analyzed under all environmental issues of the Draft EIR.

No vote was taken on the property on the Southeastern edge of Descanso within the Merigan Ranch with the proposed change of SR4 reduced to RL80 to reflect constraints on the site (flood/wetland). The DPG requests further study is made on this area through the Draft EIR, and a Biologist and Hydrogeologist give report on this property under all environmental issues of the Draft EIR with emphasis on the issues of Biological Resources and Hydrology and Water Quality. During discussion, the DPG has stated they will remain with the original recommendation of SR4 pending release of a Biology and Hydrogeology report in the Draft EIR.

No vote was taken on the property in Central Descanso within the Merigan Ranch with the proposed change of SR10 to be reduced to RL80 to be consistent with surrounding designation and reflect site sensitivity. The DPG requests further study through the Draft EIR is given to this site under all environmental issues. During discussion, the DPG has stated they will remain with the original recommendation of SR10 pending release of the Draft EIR.

Respectfully Submitted,



Jo Ellen Quinting, Chair
Descanso Planning Group
PO Box 38
Descanso, CA 91916
619.445.7462



2008 Board Members:

Melanie Fallon, Chair
Jacqueline Arsivaud-Benjamin, Vice-Chair
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Manu Sohaey
Bill Telesco

20223 Elfin Forest Rd., Elfin Forest, CA 92029

Devon Muto, Interim Chief, DPLU
5201 Ruffin Road, Suite B
San Diego, CA 92123
MS O-650

May 5, 2008

Dear Devon,

The Elfin Forest/Harmony Grove Town Council (EF/HGTC) appreciates the opportunity to comment on the environmental information which should be contained in the Environmental Impact Report for the San Diego General Plan Update. With this letter we are requesting that DPLU review the status of the area in Elfin Forest known as Bridges Unit 7 (APNs 264-104-05, 264-104-12, 264-104-13, 264-104-14, 264-104-16, 264-104-17).

Our community has identified this area, which is high value gnatcatcher breeding habitat, as an area that should be evaluated closely in the Environmental Impact Report in order to appropriately ascertain what level of development, if any, is appropriate for this highly environmentally sensitive area. In addition we also believe that this area should be included in the Environmentally Sensitive Draft Map. It would be inappropriate to designate a building density of 1 du/2 Acres as the current maps contemplate on such a critical core habitat area.

In 2006 during the Environmental Review process for this property, evidence was presented by independent biologists to County staff as to the high value of the habitat contained in Unit 7. That information led County Land Use staff to change their recommendation from approval to denial of a proposed project on this site. The August 25, 2006 Staff report concluded: "Based on the findings of the ISA, the applicant's responses and additional information received from the noted environmental professional, the Department believes that development of either Alternative for Unit 7 may lead to extinction of the CG Core Area population. "

This area is also in the very core of the MSCP North, and preserving it as open space will greatly enhance the viability of that effort. The Elfin Forest Harmony Grove community is named for the habitat community, and between private and public entities large areas of contiguous high value habitat are being preserved already. However none of them have the unique characteristics which make the particular site such an important Gnatcatcher breeding site.

We are available to discuss with your staff any of the background information that we have and might be needed in the EIR and in order to decide whether or not to include this parcel as RL-20, or at least SR-4, in the Environmentally Sensitive Draft Map.

Respectfully,

Melanie Fallon,

Chair, EFHGTC Board

Cc: Supervisors Horn, Slater-Price, Jacob, Cox, and Roberts

May 28, 2008

Eric Gibson, Interim Director
Devon Muto, Project Manager
COUNTY OF SAN DIEGO
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

HAND DELIVERED
&
US MAIL

Re:	Project Name:	County of San Diego General Plan Update
	Project Number:	02-ZA-001
	Subject:	Comments on Notice of Preparation of a Draft EIR

Dear Mr. Gibson:

The comments set forth below concerning the "NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT" dated April 28, 2008 are being submitted on behalf of a grass roots group of property owners and residents of unincorporated areas of east San Diego County (commonly known as and hereinafter referred to as the "Backcountry") who find the density downsizing provisions of the proposed Amended General Plan to be untenable.

The Notice of Preparation states at its outset that the "Comprehensive General Plan Update will balance population growth and development infrastructure needs and resource protection. More specifically, the proposed project will direct population capacity in the western portions of the County and reduce the potential for growth in the eastern areas."

Nearly everyone agrees that the old General Plan is broken and badly in need of revision, but contrary to a balancing of population growth and development, we find the proposed project ignores the critical socio-economic imbalance that currently exists in east San Diego County and mandates a development plan for the next 30 -40 years that will at best maintain a situation of forced poverty and heavy dependence on continued County subsidy. Moreover, many believe this plan to reduce the potential for even responsible, reasonable growth in the eastern areas could result in financial disaster for east San Diego with the County having to heavily subsidize nearly all essential services. Our school district, healthcare provider and fire agencies are all in such dire financial situations that reducing all growth in the eastern areas will mean stagnation and slow death for even these essential services not to mention mom and pop businesses that depend upon a predictable business environment.

According to demographic data provided by SANDAG in October 2006, the Backcountry region of east San Diego County suffers from both high unemployment and low per capita income. Enhanced economic activity through responsible and reasonable development is drastically needed to address these issues.

The Notice of Preparation in the short paragraph entitled "Land Use and Planning" under the "Probable Environmental Effects" section provides that the "EIR will discuss the substantial differences between the proposed and existing County General Plan and other applicable land use plans, ordinances, policies and regulations including but not limited to specific plans and zoning ordinance". Under the proposed project, the east county areas are the focus of extreme growth limitation. It is specifically these east county communities and areas of the highest unemployment and lowest income in the county that are in need of economic growth and stimulation that comes with responsible and reasonable development. The proposed density downsizing outside the designated "village community" borders from the generally existing 4 acres (with variances for groundwater limitations and slope) to 20, 40, 80 and 160 acres will take a dire situation existing in the subject communities and make it worse by "reducing" reasonable, responsible economic development and growth. The proposed project is fatally flawed in this regard.

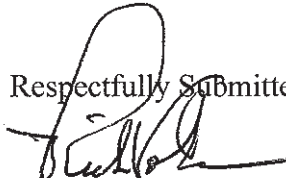
It is stated under the "Project Location" section of the Notice of Preparation that "Private land ownership accounts for approximately 36% of the County's unincorporated lands. Public land ownership accounts for approximately 64%....". It is acknowledged that these percentages are generally applicable to the Backcountry. Accordingly, approximately 64% of the lands in east San Diego County will never be developed. The proposed density downsizing is wholly unnecessary and is unfair and abusive to both the affected property owners and the residents in general. In the event of implementation, there are perceived potential significant monetary claims to be made based upon inverse condemnation, discrimination, and related legal theories.

Furthermore, the proposed density downsizing flies in the face of and is contrary to the spoken will of San Diego County voters, who resoundingly (63.06%), shot down these identical downsizing provisions for the unincorporated areas of east San Diego County in a county wide vote in 2004. Another recent expression of the will of the people is evidenced by the local election results of the 2006 State Proposition B ballot measure that called for just and reasonable landowner compensation in the case of density downsizing which was supported by a solid majority of San Diego County voters despite failing in the overall state election. The proposed project is fatally flawed in this regard.

The alternatives set forth in the various map alternatives are nothing more than minor modifications of the proposed project map and continue the arbitrary and capricious line of demarcation that has been established along the County Water Authority Line that condemns the eastern areas of the County to a whole list of socio-economic ailments and the most basic necessities of life.

Finally, the County has relied heavily upon the community planning and sponsor groups to both notice and work with the residents on the local level plans. We believe you will find that there has been a very poor job done of noticing affected residents of the status and/or adverse effects of the proposal. We also believe that the local community planning groups have for the most part pursued a course of action that has had a chilling effect on community participation and refused to work with disaffected property owners and residents. Over-reliance upon the community planning groups to be a conduit to the people and as representative of property owners of the Backcountry is again a fatal flaw in the proposal.

Thank you for the opportunity to provide the foregoing comments. We appreciate your anticipated attention and consideration of our comments and welcome an opportunity to work with the County on an Amended General Plan that will ensure reasonable and responsible growth for the Backcountry areas of east San Diego County.

Respectfully Submitted,


RICH VOLKER,
Spokesperson for a Backcountry Grass Roots Group of Concerned Citizens.

.....

cc: Dianne Jacob, County Supervisor
Devon Muto, Project Manager

May 28, 2008

Mr. Devon Muto
Department of Planning and Land Use
5201 Ruffin Road, Suite B
COUNTY OF SAN DIEGO
San Diego, CA 92123

Subject: Comments on Notice of Preparation of a Draft EIR
Project Name: County of San Diego General Plan Update
Project Number: 02-ZA-001

SUBMITTED VIA EMAIL AND U.S. MAIL

Dear Mr. Muto:

I represent the Campo-Lake Morena Business Association, a group of over 60 member businesses, ranches, non-profits and individuals in the mountain empire region of east San Diego County. We find the density downsizing, circulation element, community character statement and village boundary designations to be individually and collectively flawed for our community. We would welcome the opportunity to sit down and discuss the specifics. In light of the period of time that has elapsed and the dramatic decline in economic climate of our community, we believe that a serious discussion needs to happen to prevent a socioeconomic catastrophe for our mountain community. We are already the poorest area of San Diego County and the proposal will lock us in to another 30-40 years of poverty and continued decline.

We adamantly object to the provisions contained in the proposal to reduce growth in the eastern areas of the County. We believe that responsible, reasonable growth is absolutely critical to the health of our community. One need only look at our schools, healthcare provider and fire protection to see the affects of the socioeconomic decline in our community. Our community is already at the breaking point and it does not need a general plan that sets out to further "reduce" growth in our area. We are not asking for a plan that encourages growth, but it must at a minimum allow some provision for growth or you condemn us to third world socioeconomic conditions and further dependency on county services.

Thank you for the opportunity to provide the above comments. We look forward to a frank and fair discussion of the issues so that this General Plan can be a positive influence in our County and community.

Sincerely,



Dan Lawrence
President
Campo-Lake Morena Business Association
P.O. Box 451
Campo, CA 91906
(619) 478-2327

RECEIVED
MAY 29 2008
DPLU - PPCC

May 28, 2008

Mr. Devon Muto
Department of Planning and Land Use
5201 Ruffin Road, Suite B
COUNTY OF SAN DIEGO
San Diego, CA 92123

Subject: Comments on Notice of Preparation of a Draft EIR
Project Name: County of San Diego General Plan Update
Project Number: 02-ZA-001

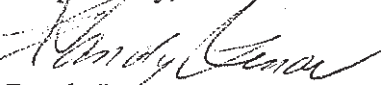
SUBMITTED VIA EMAIL AND U.S. MAIL

Dear Mr. Muto:

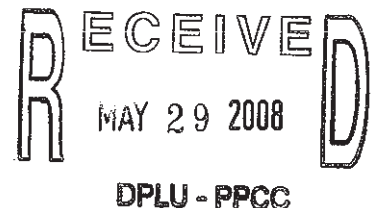
I represent H.O.P.E. of the Mountain Empire, a grassroots political organization in east San Diego County that is concerned about the future of our rural mountain communities. According to SANDAG, our communities are already plagued by the highest unemployment and lowest per capital incomes in the County. We believe that the stated objective of the proposed project to "reduce the potential for growth in the eastern areas" of the County is fatally flawed in this respect. Let me be clear that we do not advocate that the general plan encourage massive development in the eastern areas, but we do believe it is critical to the survival of our small communities that the proposed project afford some reasonable and responsible growth to occur. We find the density downsizing, circulation element, community character statement and village boundary designations to be individually and collectively flawed for our communities and the back country in general. In light of the period of time that has elapsed since any serious discussion has occurred about the proposed project and the dramatic decline in economic climate of our communities, we believe that the project needs to be revisited in order to prevent a socio-economic catastrophe for our mountain communities.

Thank you for the opportunity to provide the above comments. We look forward to a frank and fair discussion of the issues so that this proposed project can be a positive influence within our County and back country communities.

Respectfully,



Randy Lenac
President
H.O.P.E. of the Mountain Empire
P.O. Box 188
Campo, CA 91906
(619) 478-5403



PALOMAR OBSERVATORY
CALIFORNIA INSTITUTE OF TECHNOLOGY
P.O. BOX 200
PALOMAR MOUNTAIN, CA 92060

Telephone (760)742-2111, Fax (760)742-1728, Email: wsk@astro.caltech.edu

May 24, 2008

Devon Muto
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Dear Mr. Muto,

I am writing on behalf of the Palomar Observatory concerning the County's 2020 General Plan update. The observatory has great concerns about land development and its associated impact on our scientific operations as the Forrest Conservation Initiative (FCI) expires.

The observatory employs five telescopes that are used nightly for astronomical observations. Research conducted at Palomar has had a profound impact in our understanding of the cosmos and the observatory continues to be a world-class leader in astronomical research and associated technologies.

The site for the Observatory was chosen in 1934 primarily for its clear weather, stable atmosphere and dark skies. The tremendous population growth in San Diego County and the surrounding areas has had a tremendous negative impact on the observatory in the form of light pollution. The cooperation of San Diego County and other governments, by enacting the light pollution ordinances, has helped to preserve the Observatory.

The sunset of FCI, even with light pollution ordinances, threatens the Palomar Observatory if the County allows increased growth in the County's undeveloped lands. Every new development brings new sources of light and light pollution to the area. The

best way to protect the County's two world-class observatories, Palomar and Mt. Laguna, is to combat urbanization in these undeveloped lands.

This is especially true in the North Mountain subregion where Palomar is located. Any new developments in this area pose a great risk to the observatory, however all new developments in the County will also contribute to light pollution, affecting the observatory.

Further, a recent survey of Palomar Mountain residents, conducted by the Palomar Mountain Planning Organization, reveals that most of the residents in the immediate area want to keep Palomar as it is.

It is with this in mind that Palomar Observatory recommends that the County's General Plan 2020 keep the 40-acre minimum parcel size and a density of one dwelling unit per 40 acres on all affected parcels as is currently in place under FCI. Major and minor use permits in the North Mountain area should be substantially restricted or prohibited in the area. Any that are granted should be required to mitigate all impacts on the Observatory.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Scott Kardel', with a stylized flourish at the end.

W. Scott Kardel
Palomar Observatory

May 20, 2008

Dept. of Planning and Land Use
5201 Ruffin Rd., Suite B
San Diego, CA 92123-1666

Re: NOP - DEIR Log No. 02-ZA-001; County of San Diego General Plan
Update (SCH #2002111067)

We would like the Draft Environmental Impact Report to cover
alternate sources of energy such as solar panels and rooftop wind
generators.

The Project (Board endorsed Referral Map) would allow increased
population growth which would negatively impact air quality and
climate change. Burning imported, highly polluting LNG from
Indonesia for additional electricity to be carried on the Sunrise
Powerlink will increase air pollution and greenhouse gases which cause
global warming. Please cover alternate energy sources.

For the same reason, increased population, we would like to see roads
and public transportation addressed in the DEIR. How will roads be
able to cope with the additional traffic? How will mass transit be
expanded to cover the increased population?


We would also like the DEIR to cover how the increased population will
affect the availability of water in the face of the current and possibly
continuing drought.

The water study should also include a comprehensive ground water
survey of the land beyond the CWA which will be negatively impacted
by population growth.

Sincerely,



Barbara Chamberlain, Chairman



Robin M. Simmons, Vice-chairman

The Committee For Responsible Growth
25607 Potrero Valley Road
Potrero, CA 91963

Howard and Rachel Antle, General Partners
Boulder Skies Limited Partnership
24668 Manzanita Drive, P.O. Box 895
Descanso, CA 91916-0895
(619) 445-8436

May 25, 2008

Devon Muto, Interim Chief, DPLU
County of San Diego
5201 Ruffin Rd, Suite B
San Diego, Ca. 92123-1666

**Public Comment on the Notice of Preparation of a Draft
Environmental Impact Report**

**County of San Diego General Plan Update
ENV. REVIEW NUMBER: 02-ZA-001
STATE CLEARINGHOUSE NUMBER: 2002111067**

**APN #405-281-07-00; GP 20/20 Update Draft Land Use VR-4.3,
1/3 acre, encroaching lot, Boulder Skies LP/ANTLE**

**APN # 405-222-08-00; GP 20/20 Update Draft Land Use RL-40,
9.65 acre lot on which encroachment exist, WARD/PRAZMA**

REQUEST

**This project provides an opportunity to solve an
environmental problem that exists for property, APN #405-281-07-
00, hereinafter, 'ANTLE,' that has a single family dwelling and
septic system encroaching on property, APN # 405-222-08-00,
hereinafter, 'PRAZMA.' Therefore, we are requesting, either
prior to or when FCI sunsets, that a General Plan Land Use
Designation change from RL-40 to SR-4 for PRAZMA be included in**

the upcoming Environmental Impact Report, (EIR), and that our comments and concerns be addressed under all the environmental issues in the Draft EIR. We believe this to be an extraordinary circumstance and that the solution we're asking for would not set any precedent which others could use to circumvent FCI and/or GP-2020. All we're asking is that a procedure be granted so that we can solve our problem with our neighbor. We also would welcome any viable alternative.

BACKGROUND

ANTLE's property was a 14,375 sq. ft. lot located within Descanso Park Terrace, a subdivision originally surveyed, mapped, and recorded in 1913, Map No. 1615. ANTLE's house and septic system have existed since 1982. **ANTLE is not covered by FCI.**

PRAZMA's property is 9.65 acres, (according to the Nicolau Survey, see below), adjacent to ANTLE on ANTLE's Northern boundary, outside of Descanso Park Terrace. **PRAZMA is covered by FCI.**

A recent survey performed by James R. Nicolau, III, State License No. 6045, recorded April 25, 2008, Record of Survey No. 20167, reveals that ANTLE's single family dwelling and septic system encroach on PRAZMA's property. Due to ANTLE's lot being long and narrow, there are no other locations available to relocate the septic system. Under FCI, any lot under 40 acres can only have an equal, or even, square footage boundary adjustment. However, due to ANTLE's diminished lot size an

1 "even boundary adjustment" would not eliminate the encroachment.
2 Under these circumstances, ANTLE is unable to sell or obtain
3 financing, and the property, in essence, has been rendered
4 worthless. PRAZMA and ANTLE have agreed to an amicable
5 arrangement, thus avoiding costly litigation. PRAZMA agrees to
6 an "uneven boundary adjustment" to solve the problem in exchange
7 for reasonable compensation.

8
9 **FORREST CONSERVATION INITIATIVE (FCI)**

10
11 FCI guidelines state in part that,
12 *"If certain conditions can be met, a General Plan Amendment may*
13 *be processed by the landowner to change the General Plan Land*
14 *Use Designation. Summarized, those conditions are; 1) that the*
15 *approval does not constitute or encourage a piece-meal*
16 *conversion of the forest to residential uses; 2) that adequate*
17 *public services are available and have the needed capacity; 3)*
18 *that the proposed use is compatible with the Forest's*
19 *environmental resources; 4) that the property cannot be*
20 *incorporated into a city; and 5) that the land in question does*
21 *not exceed 40 acres for any one landowner or landowners with a*
22 *unity of interest in any one year."*

23 Under FCI, a change in the proposed GP-2020 RL-40 Land Use
24 Designation to SR-4 for PRAZMA, would allow for an "uneven
25 boundary adjustment" and a small reduction in their 9.65 acre
26 lot, increasing ANTLE's lot and eliminating the encroachment.
27 The "Conditions" stated above for a General Plan Amendment to
28 change the General Plan Land Use Designation for PRAZMA have

1 been met, i.e. 1) the approval would not constitute or encourage
2 a piece-meal conversion of the forest to residential uses in
3 that **the change is solely for the purpose of solving an**
4 **encroachment problem which exists between two property owners.**
5 PRAZMA, due to slope overlays would be limited to one dwelling
6 unit, 2) **PRAZMA is within the Descanso Community Water District**
7 **(DCWD) boundary** and has adequate public services, i.e. SDG&E and
8 AT&T service the property, 3) the proposed change is compatible
9 with the Forest's environmental resources in that it is located
10 within the DCWD, **and has been recommended by the Descanso**
11 **Planning Group (DPG) to be included in the Rural Village**
12 **Boundary,** 4) the property is bounded by BLM Lands, Descanso Park
13 Terrace, and many small $\frac{1}{4}$ to $\frac{1}{2}$ acre lots on its Northern,
14 Southern and Eastern boundaries; therefore, cannot be
15 incorporated into a city; and 5) the property does not exceed 40
16 acres.

17
18 Respectfully submitted,

19
20 Boulder Skies Limited Partnership

21
22 

23 Howard Antle, General Partner

24 

25 Rachel Antle, General Partner

26
27 **ATTACHMENTS**

- 28
- 1) **Property Detail: 24668 Manzanita Drive, APN 405-281-07**
 - 2) **Plat Map: 24668 Manzanita Drive (ANTLE)**

- 3) Property Detail: N Oak Grove Drive, APN 405-222-08
- 4) Plat Map: N Oak Grove Drive (PRAZMA)
- 5) Satellite photo of both properties
- 6) Copy of Survey by James R. Nicolau, III, showing encroachment
- 7) Draft Land Use Map, ANTLE is on Manzanita Drive, in orange, indicating Village Residential (VR-4.3); PRAZMA is adjacent to ANTLE on ANTLE's Northern boundary, in green, indicating Rural Lands (RL-40)



Property Details

For Property Located At
24668 Manzanita Dr
Descanso, CA 91916
San Diego County

Owner Info:

Owner Name:	Boulder Skies	Recording Date:	06/01/2000
Tax Billing Address:	Po Box 895	Annual Tax:	\$2,387
Tax Billing City & State:	Descanso CA	County Use Code:	1 Family Residence
Tax Billing Zip:	91916	Universal Land Use:	SFR
Tax Billing Zip+4:	0895		

Location Info:

Tract Number:	1615	Waterfront Influence:	Ids
Subdivision:	Descanso Park Terrace	School District:	Mountain Empire Unif
Zoning:	1	Map Coordinates:	1236-A2
Census Tract:	212.02	Carrier Route:	R001
Flood Zone Code:	X	Flood Panel Date:	06/19/1997
Flood Zone Panel:	0602841726F		

Tax Info:

Tax ID:	405-281-07-00	Total Assessment:	\$224,934
Tax Year:	2007	% Improv:	60%
Annual Tax:	\$2,387	Tax Area:	91039
Assessment Year:	2007	Legal Description:	Lots 15 Thru 17 Blk M
Land Assessment:	\$89,973	Lot Number:	15-17
Improved Assessment:	\$134,961	Block ID:	M

Characteristics:

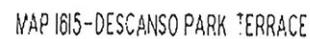
Lot Acres:	.33	Full Baths:	2
Lot Sq Ft:	14374.8	Fireplaces:	1
Building Sq Ft:	2,068	Heat Type:	Wall Furnace
Condition:	Average	Patio Type:	Patio
Quality:	Excellent	Garage Type:	Garage
Total Units:	1	Garage Capacity:	2
Total Rooms:	7	Effective Year Built:	1982
Bedrooms:	3	Other Impvs:	Patio, Fence
Total Baths:	2		

Last Market Sale:

Recording Date:	06/01/2000	Deed Type:	Grant Deed
Settle Date:	06/01/2000	Owner Name:	Boulder Skies
Document No:	287899	Seller:	Boulder Skies

Sales History:

Recording Date:	10/17/2007	08/13/2007	03/14/2007	02/22/2007
Nominal:	Y	Y	Y	Y
Sale/Tax Stamp Type:	Unknown	Unknown	Unknown	Partial
Multi/Split Sale Type:				
Buyer Name:	Boulder Skies	Antle Rachel	Boulder Skies	Antele Rachel
Seller Name:	Antle Rachel	Boulder Skies	Antle Rachel	Antle Howard
Document No:	667555	537551	174668	119277
Document Type:	Grant Deed	Grant Deed	Grant Deed	Interspousal Deed



Property Details

For Property Located At
N Oak Grove Dr
Descanso, CA
San Diego County

Owner Info:

Owner Name:	Prazma Rick	Tax Billing Zip+4:	1340
Owner Name 2:	Prazma Cathy	Recording Date:	09/25/2003
Tax Billing Address:	5351 Westknoll Ln	Annual Tax:	\$2,311
Tax Billing City & State:	San Diego CA	County Use Code:	Vacant Residential
Tax Billing Zip:	92109	Universal Land Use:	Residential Acreage

Location Info:

Zoning:	1	School District:	Mountain Empire Unif
Flood Zone Code:	X	Map Coordinates:	1236-B1
Flood Zone Panel:	0602841726F	Flood Panel Date:	06/19/1997

Tax Info:

Tax ID:	405-222-08-00	Land Assessment:	\$222,853
Tax Year:	2007	Total Assessment:	\$222,853
Annual Tax:	\$2,311	Tax Area:	91039
Assessment Year:	2007	Legal Description:	Por Sec 13-15-3e

Characteristics:

Lot Acres:	10.55 *	Lot Sq Ft:	459558
------------	---------	------------	--------

Last Market Sale:

Recording Date:	09/25/2003	Deed Type:	Grant Deed
Settle Date:	08/20/2003	Owner Name:	Prazma Rick
Sale Price:	\$210,000	Owner Name 2:	Prazma Cathy
Document No:	1181747	Seller:	Trueax Dale

Sales History:

Recording Date:	09/25/2003	05/29/2002	08/11/2000	06/08/2000
Sale Price:	\$210,000			
Nominal:		Y		Y
Sale/Tax Stamp Type:	Full	Full	Full	Full
Multi/Split Sale Type:				
Buyer Name:	Prazma Rick & Cathy	Trueax Dale	Trueax Dale A & Lisa M	Smith Paul W
Seller Name:	Trueax Dale	Trueax Lisa M	Smith Paul W	Smith Paul W & Mary E
Document No:	1181747	453426	426987	303011
Document Type:	Grant Deed	Quit Claim Deed	Quit Claim Deed	Interspousal Deed

Courtesy of Howard Antle
 Sandicor

The data within this report is compiled by First American CoreLogic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

* NICOLAUS SURVEY INDICATES 9.65 ACRES

④

[illegible]

BLK	OLD	NEW	YR	CUT
222	²²⁰ MURDOX	⁸¹ R-B	74	16500
	4	90MM	76	1571
	10	11612	88	1161
	546	13	95	1446

②②
SHT.1

CLEVELAND NATIONAL FOREST

760-139-01 THRU 17

39. 10 AC

7.82 AC

3.23 AC

05 AC

405-22
SHT.20F2

1-200'

SAN DIEGO COUNTY
ASSESSORS MAP
BOOK 405 PAGE 2.2...SHT 2 OF 2

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

DL: 27 17 22

25
SHT. 1

* OFFER TO DEDICATE

W L1.
LOT 6
-BLK M

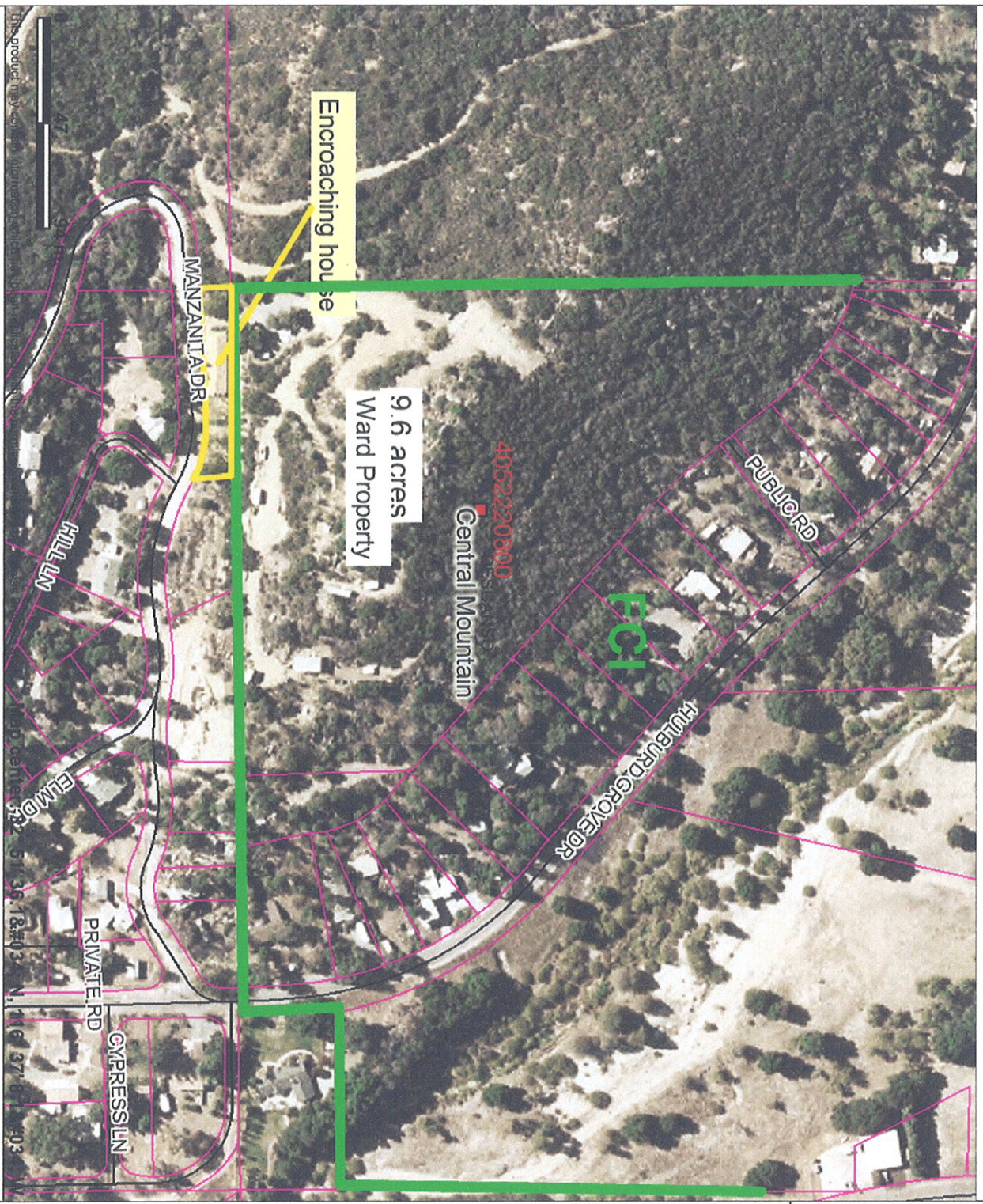
(28) SEC 13-T15S-R3E-P0R E 1/2

SEP 21 1994
R.

5

15

Ward Property in Descanso



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Legend

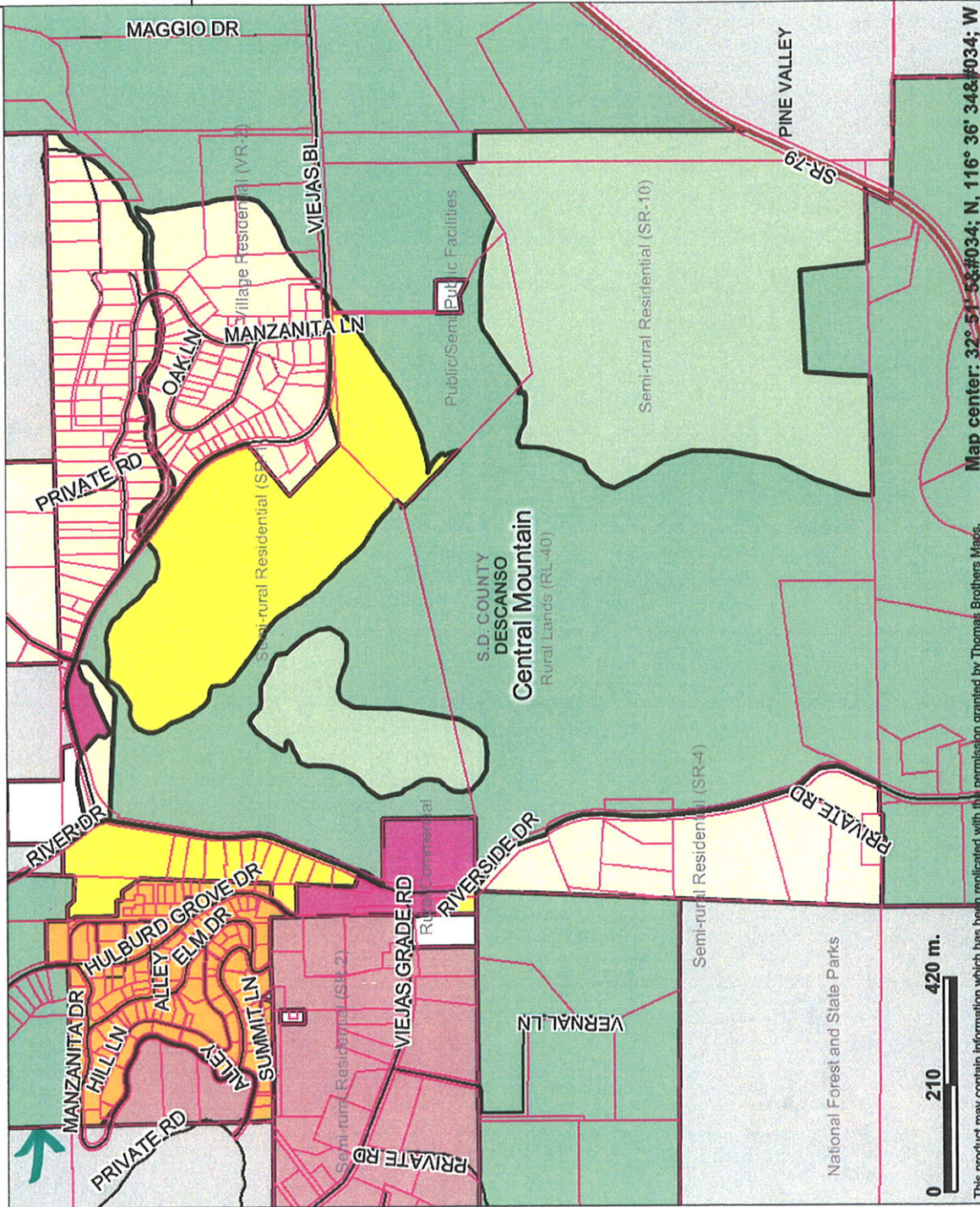
- Parcels w/out labels
- Highways
- Freeways
- Streets
- Water Bodies
- Sponsor Groups
- Other
- Community Planning Area
- 2006 Orthophoto South West
- 2006 Orthophoto South East
- 2006 Orthophoto North West
- 2006 Orthophoto North East



Scale: 1:2,674



Draft Land Use Map



Legend

Parcels w/out labels

Highways

Freeways

Streets

Water Bodies

Water Bodies

Sponsor Groups

Sponsor Groups

Community Planning Area

Community Planning Areas

Incorporated Areas

S.D. COUNTY

Other

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

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GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

0 210 420 m.

Map center: 32° 51' 56" N, 116° 36' 34" W

Scale: 1:11,836

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GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

GP2020 - Draft Land Use August 2006

**John D. Elliott
P.O. Box 368
Descanso, CA
91916**

Eric Gibson
Interim Director - DPLU
5201 Ruffin Rd, Suite B
San Diego, Ca. 92123-1666

**Re: Update of the San Diego County General Plan
Env. Review Number 02-ZA-001
State Clearinghouse number 2002111067**

**Commercial Properties located at 8332 and 8306 Highway 79, Descanso
AKA, "Descanso Junction"
APN 409-021-03, 409-021-04, 409-022-01, 409-010-01**

Mr. Gibson,

Please consider these comments for the General Plan Update. I am the owner of the above referenced properties. These properties have been used as commercial since 1912. Past and current uses include a restaurant, antique store, garage, fence company, market, gas station, real estate office and dog groomer. There is approximately 2 acres of property involved.

Because of the FCI overlay, the existing general commercial land use designator and C36 zoning has been deemed inconsistent. There are other commercial zones that are consistent with the FCI (RC, C42, C44), but for some reason this property was never rezoned when the FCI was implemented and it remains C36 today.

Although earlier in the GP2020 process Descanso Junction was proposed as non-residential rural commercial, the newest mapping proposes RL 40. DPLU and the Planning commission have both indicated that if RL40 was implemented on Descanso Junction that DPLU would give me the necessary permits as to avoid any use conflicts until the FCI Plan Amendment could be processed. Since the gap between the FCI sun-setting date and the General Plan Update being completed has gone away, there should not be any problems with the DPLU modifying their newest maps to avoid any use conflicts.

It is my desire to keep my C36 zoning and I am requesting that your EIR analysis treat this property as it is currently being used under the new Rural Commercial designation.

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MAY 29 2008

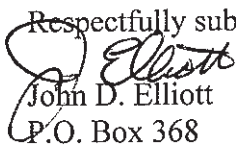
DPLU - PPCC

Rural Commercial would be consistent to the existing and traditional uses and would be the appropriate land use designation for this property.

As part of your analysis, please include this property's cumulative and direct impacts based on the new rural commercial designation with a C36 zone and not as RL40. An EIR analysis based on a residential RL40 would result in inaccurate population, circulation and commercial calculations.

The Descanso Planning Group has voted to support both a rural commercial, C36 designation and has most recently included these properties within the new rural village boundary lines.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John D. Elliott", is written over the printed name.

John D. Elliott
P.O. Box 368
Descanso, CA 91916

Beverly N. Esry
1883 Marc Trail, Campo, CA 91906
(619) 478-5034

May 26, 2008

Project Processing Counter
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Subject: County of San Diego General Plan Update, Log NO. 02-ZA-001

To Whom It May Concern:

Regarding your Notice of Preparation of a Draft Environmental Impact Report Dated April 28, 2008 I would like to see you cover Climate Change as it relates to precipitation and evapotranspiration especially as it applies to the back country. As you know we are ground-water dependant and our average annual rainfall is declining each year.

There seems to be a good agreement the temperature will increase which is directly related to evapotranspiration and therefore to water substainabiliby.

Long ranch planning is necessary to insure sustainability of groundwater and should include the best and latest information available on Climate Change as it relates to groundwater dependant areas.

Sincerely,



Beverly Esry

RECEIVED
MAY 28 2008
DPLU - PPCC

Billie Jo Jannen – P.O. Box 443 – Campo, CA 91906 – (619) 415-6298

Department of Planning and Land Use
Project Processing Counter
5201 Ruffin Road, Suite B
San Diego, California 92123
gpupdate.dplu@sdcounty.ca.gov

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Regarding: Project # LOG NO. 02-ZA-001; COUNTY OF SAN DIEGO GENERAL PLAN UPDATE (SCH #2002111067), for inclusion in definition of scope for project environmental impact statement. **Preferred environmental alternative fails to take into account existing homes and parcels, which would result in false information appearing in the EIR.**

The preferred environmental alternative map produced by staff has a major shortcoming that will skew the results of the environmental review and contribute to the failure of the county to achieve its stated goals as listed in the NOP and numerous other documents produced in the general plan update process.

The exclusion of existing density also does great financial harm to the owners of those homes, while serving no practical purpose in terms of supporting or promoting the public's interests – quite the opposite, in fact. The supposed preferred environmental alternative ignores the presence of hundreds of existing homes and businesses for the sake of an alleged environmental benefit that is purely fictional and exists only on paper.

My neighborhood serves as an excellent example. I have three homes on 16 acres. My immediate neighbor has two homes on approximately an acre. Three others have a home each on five acres. I and my neighbors expended considerable effort to get the real density that *already exists in our neighborhood* placed on the map, our chief concerns being our ability to rebuild if, for instance, a fire comes through. Secondly, we will never be able to separate those houses from each other by dividing the land they sit on into individual parcels – an act that would have no negative environmental affects whatsoever, since no additional homes would result from such division.

We are not talking about speculative values here. We are talking about homes that we have paid for, maintained, and paid taxes on for many years. Our local planning group agreed. The board of supervisors agreed. Our neighborhood was assigned a density of 1 DU/4 acres and has remained so on all subsequent maps until the unveiling of the preferred alternative map, which reduced the density to RL40 in complete denial of the reality on the ground.

Effectively, the EIR for the preferred alternative will look at this broad brush approach and assume impacts of one home for that entire area, when in fact, there are eight homes.

My neighborhood alone is certainly not enough to skew the environmental report, but there are hundreds of such properties scattered throughout the unincorporated area, not to mention hundreds more legal parcels that can all be built on, both before and after the update. All of these should have been taken into account *before* development densities were assigned to lands that have no homes on them.

This issue has been raised repeatedly over the 10 years that this process has been going on, yet staff has consistently failed to give any thought to the massive inaccuracies and inequities of the maps it has produced. What's more, the county has, at the same time, provided a huge window of opportunity for wealthy large landowners to embark on planning for huge high density developments on land that is virtually untouched.

Specifically, the EIR, as planned, will fail in the following goals the county has laid out in the NOP:

Goal 1. *Plan for projected and expected population growth in the region.* Since the map has failed to correctly define the locations of existing home and population densities, it cannot possibly define what density to place elsewhere in order to keep growth within appropriate numbers. Hence, the EIR cannot offer correct information about projected impacts.

Goal 3. *Limit greenhouse gas emissions from vehicles by locating future residences closer to employment and town centers.* Since staff has ignored many existing homes and legal parcels, it cannot possibly hope to correctly quantify their impacts in the project EIR. Final results will be skewed from reality and future emissions increased more than theoretical build-out numbers with the addition of "invisible" homes and parcels to the full build-out densities assigned to large properties that currently have no homes on them.

Furthermore, most of our rural communities are required only to comply with the state's basic smog check requirements. It is important for the EIR to quantify whether the cumulative impacts of growing NAFTA traffic and proposed build-out will impact our air quality to the extent that enhanced smog check requirements, such as are required in cities to the west, would be placed on local residents.

Goal 4. *Protect natural resources through the reduction of population capacity in sensitive areas.* Failure to acknowledge existing home and population densities and the assignment of those densities to such areas as Buckman Springs Road and Highway 94 near Cameron Corners in Campo encourages building on sensitive lands. This particular area is an important watershed and wetland area, collecting water from upstream in the watershed and sending a portion of it west and south where it recharges local wells and sustains other riparian areas and wildlife. To ignore this in favor of painting on density just because it is "proximate to existing infrastructure and services," is to ignore the potential for harm to a vital regional resource.

These resources *should have been quantified and protected before density was assigned* on the county's maps. The loss to groundwater and wetland resources cannot be mitigated. There is no water available to replace it. Picture the impacts to the property owners whose value was utterly destroyed by the Barona Casino and multiply it many times over. The Campo valley density was inappropriately placed and studies for the EIR should make this watershed a priority for special focus.

If the county is serious about producing a good and environmentally sound plan update, then its staff needs to stop treating the project like a grade school coloring project. There are real impacts to the environment and real impacts to people that are being ignored to produce a map that fits some artistic standard that has little to do with the realities on the ground. This map will not result in a plan or an EIR that is legally defensible.

These comments were submitted to DPLU by e-mail on May 24, 2008. Sincerely



Billie Jo Jannen
(619) 415-6298
jannen@aabol.com

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May 27, 2008

Mr. Eric Gibson
Interim Director
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Re: Draft EIR – General Plan Update (SCH #2002111067)
Log #02-ZA-001
Comments on “Notice of Preparation”

Dear Mr. Gibson:

The following comments on the April 28, 2008 “Notice of Preparation” for the San Diego County General Plan Update Environmental Impact Report (EIR), as referenced above, we hereby submit. As you are aware we own approximately 8,000 acres of real property in the unincorporated community of Boulevard.

The “Notice of Public Meeting” attached to the “Notice of Preparation” states that “[t]he updated General Plan will direct population growth balanced with infrastructure needs, development, and resource protection.” It states further that the General Plan Update “will have the effect of directing population capacity and development in the western portions of the unincorporated area and reducing the potential for growth in the eastern areas to balance growth and development with infrastructure needs and resource protection.” The “Notice of Preparation,” itself, follows this theme by stating that the proposal “will direct population capacity in the western portions of the County and reduce the potential for growth in the eastern areas.”

The “Notice of Preparation” then breaks down the project’s “general population distribution” into five (5) goals, as follows:

- 1) plan for projected and expected population growth in the region;
- 2) facilitate efficient, orderly growth by containing development within areas proximate to existing infrastructure and services;

- 3) limit greenhouse gas emissions from vehicles by locating future residences closer to employment and town centers;
- 4) protect natural resources through the reduction of population capacity in sensitive areas; and
- 5) retain or enhance the character of communities within the unincorporated County.

The conventional wisdom which drives proposed population direction is that the “eastern areas” of the County are unable to accommodate population increases. Indeed, the proposed plan subjects the “eastern areas” to reductions in currently planned density designations. We urge that the EIR prepared for the General Plan Update project not be written simply to justify the conventional wisdom, but rather that it be written to recognize that many of the “eastern areas,” including the community of Boulevard, are able to and should accommodate increased population, and to recognize that a “one size fits all” analysis will be deficient in terms of meeting the mandates of the California Environmental Quality Act (CEQA). Specifically, the EIR must address the many impacts which the project will cause by loading population into the “western portions” of the County and analyze objectively how many of those impacts could be reduced by increasing population in certain portions of the “eastern areas” while causing, at worst, minimal impacts which can easily be mitigated.

The community of Boulevard under all published General Plan Update proposals will suffer a reduction of major proportions in population capacity. Overall density potential in the community, now averaging approximately 1 dwelling unit per 4 acres, will be reduced to as low as 1 dwelling unit per 80 acres. When looking to the number of “environmental issues” which the County suggests that the EIR will consider, one wonders how many of those issues are matters of compelling concern so as to warrant reductions of this magnitude. The EIR must evaluate each of these “environmental issues” and compare the results to those which result from analysis of those “issues” in the “western portions.”

Issue areas such as “agriculture,” “air quality, climate change, and energy,” “land use planning,” “noise,” “public services,” “recreation,” and “utilities and service systems” must be evaluated on this comparative basis. Seemingly, these more general issue areas would not be considered as significantly impacted by population increases in many, presently underutilized portions of the “eastern areas” of the County.

Environmental issue areas such as “aesthetics,” “biological resources,” “cultural resources,” “geology and soils,” “hazards and hazardous materials,” “hydrology and water quality,” and “mineral resources” are more properly analyzed on a case-by-case or project-by-project basis when actual development is proposed, but there appears to be nothing compelling in these issues at this “Program EIR” stage to support the direction of population capacity away from the “eastern areas.”

The community of Boulevard is virtually bisected by Interstate Highway 8 as it runs in an east-west direction. This highway has long been recognized as one of the most underutilized interstate highways in the United States. Certainly, it can accommodate traffic increases from a

larger community population. More significantly, the potential for Boulevard to grow in population and become a sustainable, thriving community would actually reduce traffic volumes generated by those who must now travel for employment and basic shopping needs to the more developed, and congested, “western portions”; where the Plan Update seeks to add even more population capacity. The environmental impacts of this proposal must be analyzed in the EIR. This scenario also must be analyzed in the “air quality,” “climate change and energy,” “population and housing,” the “public services” and the “utilities and service systems” portions of the EIR.

Historically, the theory has been that lack of groundwater availability is a substantial reason for reducing population capacity in the “eastern areas.” However, it also must be recognized that there are areas, east of the mountains, where groundwater is available to accommodate an increase in population capacity rather than imposing a decrease. Preliminary studies done for us show that Boulevard is such an area. In these times, when the availability of imported water from northern California and the Colorado River is frequently called into question, the availability of groundwater resources should be a positive attribute, not otherwise. This situation and its impacts must be analyzed in the EIR.

We hereby assert that another issue which must be studied in the EIR revolves around the fact that Boulevard is really a “community” in name only and that its Country Town has long been in a state of decline, even with the density designations in the existing General Plan. Further reducing the population potential in this area will only exacerbate the situation for commercial establishments in Boulevard, which in many cases are now operating on very slim margins. The situation would worsen under the proposed General Plan Update designations, with the potential for blight to take over what could be a thriving community if population capacity were increased, fostering opportunities for sustainable development.

The “eastern areas” of the County also are prime areas for alternative energy generation through solar and wind-powered opportunities. This form of utility provision must be discussed in the EIR with its potential for allowing the development of self-sustaining communities which also would be low on the generation of greenhouse gases. Reduction in population capacity diminishes the potential for this to occur in the “eastern areas.”

San Diego County has an obligation to participate in solving the regional housing needs. The County’s ability to shoulder its “fair share” in this effort in the case where it plans, as here, to “reduce the potential for growth in the eastern areas” is a critical topic for analysis in the EIR under the “land use and planning” and the “population and housing” issue areas. Under SANDAG’s 2030 Regional Growth Forecast, there is a regional housing capacity shortage. “The 288,700 new homes needed by 2030 is roughly equivalent to the entire remaining housing capacity under existing plans.” SANDAG projects that “between 2004 and 2030, more than 99,000 housing units built in Riverside, Orange and Imperial Counties and in Northern Baja, Mexico will house at least one worker whose place of work will be inside San Diego County.” The EIR must analyze the impacts that a reduction of growth potential in the County’s “eastern areas” and how this can be mitigated.

Economic forces in the “eastern areas” seemingly are already at work with improvements to the Tecate Crossing and the continuing increase in Homeland Security personnel, who will be looking for housing opportunities in the “eastern areas.” The EIR must document what the current forecasts project with regard to this potential as well as the long term plans of government at all levels to locate offices in the “eastern areas.”

The future provision of emergency services (police, fire, medical) in the “eastern areas” is a topic which must be addressed in the EIR. Although there is a freeway corridor (Interstate 8) running through the “eastern areas,” the ability of the public service providers to address such service needs as they arise is compromised today due to the low population levels. Interstate 8, while underutilized, is a main traffic corridor between San Diego and points east into and through Arizona, bringing visitors and commercial traffic into the County. If population were permitted to grow in the “eastern areas,” particularly in Boulevard, the tax base would increase and level of provision of emergency services would increase as well to the benefit of residents as well as commercial and other travelers.

We also assert that the alternatives analysis proposed for the EIR is deficient under CEQA requirements, both generally and particularly as it relates to Boulevard.

The alternatives selected to date include those reflected in each of the following: (1) the draft “Land Use Map” (originally the “Staff Map” which was the subject of preliminary hearings at the Planning Commission and the Board of Supervisors several years ago); (2) the “Referral Map,” nominally “the project” for purposes of CEQA analysis (which incorporates changes to several properties as directed by the Board of Supervisors after those preliminary hearings); (3) the Hybrid Map (a DPLU map which in many cases reiterates the proposed designations in (1) the Land Use Map); and (4) the Environmentally Superior Map (a DPLU map which proposes significant reductions in densities beyond those reflected in (1) the Land Use Map). Finally, a “no project” alternative is proposed which involves keeping the existing General Plan designations and densities.

CEQA requires the EIR to analyze a “range of reasonable alternatives” to the project. In this situation, particularly in the community of Boulevard, the Land Use Map, Referral Map, and Hybrid Map “alternatives” are virtually, if not actually, identical. The Environmentally Superior Map Alternative appears simply to propose wholesale additional reductions to density allowances in blocks of undivided and already-divided lands in the community, apparently under the broad theory that less density must be less impactive and, therefore, “environmentally superior.”

This “range” of “alternatives” is really, in most instances, just “the project” with some minor changes. They do not rise to the level of a “range of reasonable alternatives.” We therefore, suggest that another one or more alternatives be proposed which recognize the potential for “reasonable development” in the “eastern areas” rather than a dismissal of that option at the outset. The above discussion provides justification for such alternatives and presents strong evidence that such alternatives would in fact “reduce one or more significant impacts” per the State CEQA Guidelines.

We very much appreciate the opportunity to provide these comments to the County of San Diego in response to the April 28, 2008 "Notice of Preparation" on the above-referenced EIR and project. Please give all of the above comments your serious consideration and incorporate the issues raised in them as a part of the draft EIR.

Sincerely,



Gregory Lansing

Cc: Jeff Murphy
Devon Muto
Dianne Jacob
Adam Wilson

Leach-Johnson Ranches
1259 Dewey Pl.,
Campo, CA 91906

May 26, 2008

Project Processing Counter
Department of Planning and Land Use
5201 Ruffin Road, Suite B,
San Diego, CA 92123

Subject: County of San Diego General Plan Update, Log NO. 02-ZA-001

Dear Sir:


This letter is in response to the "Notice of Preparation of a Draft Environmental Impact Report" dated April 28, 2008, with a deadline for public comment of May 28, 2008.

On page 6 of the letter on the topic of "Hydrology and Water Quality", I believe that it is essential that the Draft Environmental Impact Report (DEIR) on that topic include a section that addresses the latest information available on the potential impact of Climate Change as it relates to precipitation and evapotranspiration in the Eastern part of San Diego County that is outside the County Water Authority line. This area is totally groundwater dependent and in addition to new demands caused by growth in the area, the potential long-term impact by Climate Change could be significant and should be recognized and appropriate planning done in this General Plan Update.

California Assembly Bill 32 (AB 32) is referenced frequently and is very appropriate for greenhouse gasses and their effects. Governor Schwarzenegger has recently released a summary report from the California Environmental Protection Agency entitled "Our Changing Climate: Assessing the Risk to California" (California Climate Change Center). It contains some of the latest information currently available on the possible effects of climate change and its potential effect on the state's economy. There is good agreement that the climate will change. Models show that precipitation will likely decrease in our general area. There is also good agreement that the temperature will increase which is directly related to evapotranspiration according to Richard G. Allen and that relates directly to groundwater recharge according to Dr. David Huntley, both men are noted authorities in the field of hydrology.

To insure sustainability of groundwater, one must do long range planning and long range planning definitely should include the best and latest information available on Climate Change.

Sincerely,



Larry Johnson
(619) 476-5566

Muto, Devon

From: Lael Montgomery [laelmontgomery@aol.com]
Sent: Sunday, May 11, 2008 10:56 AM
To: Muto, Devon; Carmichael, Leann; Citrano, Robert
Cc: Andy Washburn; Ann Quinley; csvet@sbcglobal.net; ctjohnson13@sbcglobal.net; JonVick2@aol.com; kathleen@benji.com; Keith Robertson; keithsimpson@earthlink.net; LaelMontgomery@aol.com; oliver.smith@responics.com; richrudolf@sbcglobal.net; splane@pacificnet.net; terry@valleycentertimes.com; leon4homes@yahoo.com; 'Susan Simpson'; 'Frank Shoemaker'; 'David Allen Montross'; 'Nancy Layne'; 'John Coulombe'; gmroofandmtc@aol.com; 'Susan Moore (E-mail)'
Subject: EIR Scope for GPUUpdate

Devon, LeAnn, Bob,

I've read the NOP for the GP Update.

I am concerned that there is not yet a mention of the issue that most concerns every single one of the 26 unincorporated communities: **COMMUNITY CHARACTER**. It is so important to the human habitat to keep this critical issue in our view finders. Presumably this falls under the category of AESTHETICS. The distinct identities of San Diego County communities are our most significant and precious resources, and these are exactly the resources that are most likely to be destroyed >>> morphed into a dull sameness (in a flash!!!) by the uniform road standards , plain vanilla zoning codes and conventional mass production building practices that have obliterated other SOCAL communities.

This is a critical issue. How do we make sure that it gets incorporated meaningfully into the EIR Scope?

Looking to you for guidance,

Lael Montgomery
 Valley Center

Rick and Cathy Prazma
5351 Westknoll Lane
San Diego, Ca. 92109
619-518-4400

May 19, 2008

Eric Gibson, Interim Director - DPLU
Devon Muto, Interim Chief – DPLU
5201 Ruffin Rd, Suite B
San Diego, Ca. 92123-1666

**Re: Update of the San Diego County General Plan
Environmental Review Number 02-ZA-001
State Clearinghouse number 2002111067**

**APN # 404-281-07-00 GP20/20 Update Draft Land Use Designation VR-4.3,
1/3acre, the encroaching lot; ANTLE**

**APN # 405-222-08-00 GP 20/20 Update Draft Land Use Designation FCI RL-
40, 9.65 acre lot on which encroachments exist; PRAZMA**

DPLU Project Description

With reference to the introductory statement; “The proposed project is a comprehensive update of the San Diego County General Plan. The project will replace the existing General Plan including all of the elements, land use, distributed maps, and circulation maps.”

This project provides an opportunity to solve an environmental problem that exists for a lot, APN #405-281-07-00 that has a septic system encroaching on our property, APN # 405-222-08-00. There are no other locations available to relocate the septic on the small lot. Furthermore part of the adjoining neighbor's house is also on our lot. The land owners have agreed to a boundary adjustment to solve this problem. A change in the proposed GP2020 RL-40 designation to SR-4 on lot APN 405-222-08-00 (PRAZMA) would allow the small reduction in the 9.65 Ac.size lot, slightly increasing our neighbor's lot and solving our problem. Moreover, a change in zoning to SR-4 is more consistent with the density and character in the village boundaries and would have no adverse impact in a EIR since a single family residence is all the lot allows. Historically the zoning on the APN # 405-222-08-00 lot was 2 Ac since the 1970's and in 1993 somehow got included in FCI. If we could be considered in the EIR as an Update General Plan designation of SR-4, it would help the progress of our solution when FCI expires.

This zoning change is consistent with the General Plan's ideals and intentions. It is located in central Descanso adjoining the existing town boundaries and surrounded by many small ¼ acre to ½ acre lots and homes with all utility services.

We have made application to the Descanso Planning Board and they have voted to have us in the Rural Village Boundary line.

We present this appeal that APN # 405-222-08-00, (PRAZMA), should be in the proposed GP2020 update as SR-4 zone consistent with the bullet point in the county's EIR project description. "Re: zoning as necessary to implement/ or maintain consistency with the updated general plan."

Under the Land Use and Planning section of the Draft EIR, it states, "The EIR will identify potential land use conflicts, and community character issues resulting from the juxtaposition of proposed land use designations."

Prior to 1993 our 2 acre zoning would allow us to do this uneven boundary adjustment and solve this problem. With the FCI overlay, we are prevented from doing this. If the Updated GP20/20 designates us with a Land Use Code of SR-4, we can solve our boundary problem when FCI expires.

Respectfully submitted,



Rick Prazma



Cathy Prazma

Cc:

Attorney William Schwartz

LeAnn Carmichael - DPLU

Jo Ellen Quinting, Chair DPG

Howard and Rachel Antle

WORLEY SCHWARTZ GARFIELD & PRAIRIE

A LIMITED LIABILITY PARTNERSHIP

LAWYERS

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WALTER A. TAYLOR
SUSAN D. WHITE

FILE NO.:

ASSOCIATES:

KRISTINA LUPARIELLO
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NATHAN L. J. SLEGGERS

DONALD R. WORLEY (RET.)

WRITER'S EMAIL:
WSCHWARTZ@WSGPLAW.COM
WRITER'S EXTENSION: 125

May 28, 2008

VIA EMAIL AND U.S. MAIL

Mr. Eric Gibson
Interim Director
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Re: Draft EIR – General Plan Update (SCH #2002111067)
Log #02-ZA-001
Comments on "Notice of Preparation"

Dear Mr. Gibson:

The following comments on the April 28, 2008 "Notice of Preparation" for the San Diego County General Plan Update Environmental Impact Report (EIR), as referenced above, are submitted on behalf of the Star Ranch, which owns approximately 2,160 acres of real property in the Mountain Empire Subregional Plan Area of the County and within the Campo-Lake Morena community. Star Ranch is presently processing General Plan Amendment and Specific Plan applications for its property.

The "Notice of Public Meeting" attached to the "Notice of Preparation" states that "[t]he updated General Plan will direct population growth balanced with infrastructure needs, development, and resource protection." It states further that the General Plan Update "will have the effect of directing population capacity and development in the western portions of the unincorporated area and reducing the potential for growth in the eastern areas to balance growth and development with infrastructure needs and resource protection." The "Notice of Preparation," itself, follows this theme by stating that the proposal "will direct population capacity in the western portions of the County and reduce the potential for growth in the eastern areas."

The Star Ranch project is proposed to be located in part in the Country Town of Cameron Corners which, in turn, is also proposed to be designated as a Village in the General Plan Update. Star Ranch understands that the land use policies in the General Plan Update documents are

Mr. Eric Gibson

May 28, 2008

Page 2

intended to correct the known deficiencies in the "eastern areas" of the County, particularly in the locations planned with "Village" designations. While Star Ranch supports the policies, the proposed expansion of Cameron Corners falls short of authorizing the type and amount of residents, commercial, and public service facility development opportunities necessary to make that "Village" a workable, self-sustaining and successful community center.

The thought behind the land use mapping for the Update appears to be prompted by the desire to protect the "eastern areas" from overdevelopment which could potentially exhaust or damage the resources in this part of the County. However, there are small pockets of developable land, such as the Cameron Corners Village area, which are able to accommodate reasonable growth, while the rest of the lands in the "eastern areas" can be protected. A recent SANDAG study dealing with "Unemployment Rates and Per Capita Income in the Southern San Diego Region" shows clearly that this area of the East County is beset by both high unemployment and low per capita income.

These developable "eastern areas" of the County must have the impetus from land use designations allowing reasonable development, and therefore population growth, to provide a basis for them to thrive. In that regard, the General Plan Update should recognize the need for growth in these areas to prevent them from blight due to population stagnation. While the Update proposal would allow for some minimal growth in these areas, it is simply not enough. It will be necessary to allow for expansion of wastewater facilities and potable water development facilities rather than by creating a disincentive for them by restricting the reasonable growth. Further, the addition of public sewers to back-country development, in lieu of septic systems, is responsive to the policy of protecting groundwater resources and encouraging their sustained and effective use.

Star Ranch believes that the overall policy of directing growth into the already crowded "western portion" of the County while forcing it away from the "eastern areas" is not the correct policy through which to create the incentive for the Village concept to be successful in implementing its own policies. That creates environmental consequences for both the "western portions" and the "eastern areas." Star Ranch requests that these environmental impacts and related consequences be studied fully in the Draft EIR for the General Plan Update.

The Star Ranch appreciates the opportunity to provide these comments to the County of San Diego in response to the April 28, 2008 "Notice of Preparation" on the above-referenced

WORLEY SCHWARTZ GARFIELD & PRAIRIE, LLP

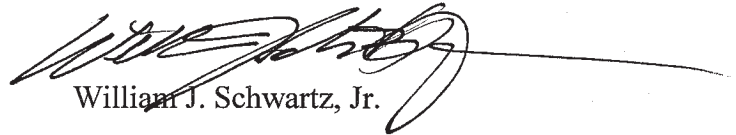
Mr. Eric Gibson

May 28, 2008

Page 3

EIR and project. Please give all of the above comments your serious consideration and incorporate the issues raised in them as a part of the draft EIR.

Very truly yours,

A handwritten signature in black ink, appearing to read "WJS", followed by a long horizontal line extending to the right.

William J. Schwartz, Jr.

WJS:mam

cc: Mr. Barry DeVorzon
Mr. Doug Paul

WORLEY SCHWARTZ GARFIELD & PRAIRIE

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May 28, 2008

VIA EMAIL AND U.S. MAIL

Mr. Eric Gibson
Interim Director
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Re: Update of the San Diego County General Plan
Env. Review Number 02-ZA-001
State Clearinghouse Number 2002111067
APN # 405-222-08-00 – 9+ Acres in Descanso (Overlay FCI 40 Ac.)

Dear Mr. Gibson:

We represent Clifford J. Ward and Rick and Cathy Prazma in regard to their effort to seek a general plan amendment and a rezone on their 9+ acre property in Descanso (referenced above). A part of that effort is seeking inclusion of their property with an appropriate land use designation as a part of the General Plan Update and, accordingly, requesting that their proposal be analyzed in the Draft EIR for the Update.

The Notice of Preparation dated April 28, 2008 for the Update's Draft EIR defines the proposed project as "a comprehensive update of the San Diego County General Plan." It further states that "the project will replace the existing General Plan, including all of the elements, land use distribution maps, and circulation maps. The project will also update Community/Subregional Plans."

Our clients are seeking to modify the General Plan Update proposal to change the land use designation on their property from the RL-40 designation to the SR-4 designation. The property was in a 2-acre minimum parcel size designation until the Forest Conservation Initiative passed in 1993 mandating a 40-acre minimum parcel size. A change to the SR-4 designation is more consistent with the density and character of adjoining properties which are within the Descanso Country Town. These properties are small parcels ranging in size from ¼ acre to ½ acre, and containing homes with all utility services.

Mr. Eric Gibson

May 28, 2008

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While we recognize that the existence and applicability of the Forest Conservation Initiative apparently compels a 40-acre minimum parcel size at this time, we ask that the EIR being prepared for the Update study the alternative of having this parcel designated as SR-4 when the Initiative expires.

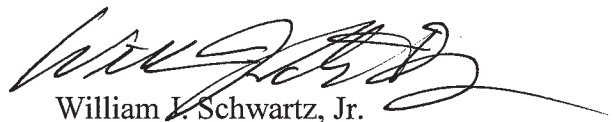
Mr. Ward and the Prazmas have made application to the Descanso Planning Group to include their property in the modified Rural Village Boundary line for the General Plan Update. The property is inside the Descanso Water District service territory boundary, and the Descanso Planning Group has voted to use this boundary line as the Village line as well.

This request is made in order to solve a current issue relating to the subject property and an adjoining parcel (APN 405-281-07-00). The adjoining parcel is improved with a dwelling unit, a small portion of which encroaches on the Ward/Prazma parcel, as does the septic system serving that dwelling. There are no other locations on this small adjoining parcel to accommodate the septic system. Both property owners are agreeable to a boundary adjustment to resolve this issue, but they are told by DPLU staff that a boundary adjustment would be prohibited by the fact that the Ward/Prazma property is within the Forest Conservation Initiative area and cannot be reduced in size.

Although the land use designation on the Ward/Prazma property apparently cannot be changed to SR-4 until the Initiative is no longer applicable to it, the inclusion of that potential future designation within the Draft EIR analysis for the General Plan Update will expedite the resolution of this issue at the earliest possible time.

We thank you for your serious consideration of this request, which we believe to be unique in nature and not susceptible to setting a precedent. The study of such a scenario would, in our view, have no impact on the environmental analysis since the parcel is slightly larger than 9 acres in size. Due to the slopes on the property, it most likely could not be subdivided to create even a second parcel. If you have any questions or wish to have more information, please contact me.

Very truly yours,



William J. Schwartz, Jr.

WJS:mam

cc: Mr. Clifford J. Ward
Rick and Cathy Prazma

Clifford Ward
Rick and Cathy Prazma
5351 Westknoll Lane
San Diego, Ca. 92109
858.344.5431

May 19, 2008
Eric Gibson
Interim Director - DPLU
5201 Ruffin Rd, Suite B
San Diego, Ca. 92123-1666

**Re: Update of the San Diego County General Plan
Env. Review Number 02-ZA-001
State Clearinghouse number 2002111067
APN # 404-281-07-00 GP20/20 VR-4.3u/Ac ,est. 1/3ac.,the encroaching lot
APN # 405-222-08-00 GP 20/20 2Ac. Overlay FCI 40Ac. R-40 in the
upcoming (draftGP20/20@R-40 , 9Ac lot on which encroachments exist.**

DPLU Project Description

With reference to the introductory statement; "The proposed project is a comprehensive update of the San Diego County General Plan. The project will replace the existing General Plan including all of the elements, land use, distributed maps, and circulation maps."

This project provides an opportunity to solve an environmental problem that exists for a lot, APN #405-281-07-00, that has a septic system encroaching on our property, APN # 405-222-08-00. There are no other locations available to relocate the septic on the small lot. Furthermore part of the adjoining neighbor's house is also on our lot. The land owners have agreed to a boundary adjustment to solve this problem. A change in the proposed GP2020 R-40 designation to SR-4 on lot APN 405-222-08-00, would allow the small reduction in the 9 Ac.size lot, slightly increasing our neighbor's lot and solving our problem. Moreover, a change in zoning to SR-4 is more consistent with the density and character in the village boundaries and would have no adverse impact in a EIR since a single family residence is all the lot allows. Historically the zoning on the APN # 405-222-08-00 lot was 2 Ac since the 1970's and in 1993 somehow got included in FCI. If we could be considered in the EIR as an Update General Plan designation of SR-4, it would help the progress of our solution when FCI expires.

This zoning change is consistent with the General Plan's ideals and intentions. It is located in central Descanso adjoining the existing town boundaries and surrounded by many small 1/4 acre to 1/2 acre lots and homes with all utility services.

We have made application to the Descanso Planning Board and they have voted to have us in the Rural Village Boundary line.

We present this appeal that APN # 405-222-08-00, should be in the proposed GP2020 update as SR-4 zone consistent with the bullet point in the county's EIR project description. "Re zoning as necessary to implement/ or maintain consistency with the updated general plan."

Under the Land Use and Planning section of the Draft EIR, it states

" The EIR will identify potential land use conflicts, and community character issues resulting from the juxtaposition of proposed land use designations"

Prior to 1993 our 2Ac zoning would allow us to do this uneven boundary adjustment and solve this problem with its environmental effect. With the FCI overlay, we can't. If the Update GP20/20 returns us , not to the 2Ac we once had, but to the SR-4 zoning, then we can solve our boundary problem when 2011 comes with FCI's expiration.

Respectfully submitted,

Clifford J. Ward

Rick Prazma

Cathy Prazma